

Standing Appropriations Bill House File 2700

Last Action:
**House Appropriations
Committee**
April 24, 2008

An Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective and retroactive applicability date provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2700
STANDING APPROPRIATIONS BILL**

FUNDING SUMMARY

***DIVISION I – MENTAL HEALTH
ALLOWED GROWTH***

***DIVISION II – STANDING
APPROPRIATIONS AND RELATED
MATTERS***

BUDGET FORMAT

**GENERAL ASSEMBLY BUDGET
REDUCTION**

STANDING APPROPRIATION LIMITS

PROPERTY TAX CREDIT FUND

- Appropriates a total of \$119.8 million from the General Fund for FY 2009 for the affected budget units. Also appropriates \$169.7 million from other funds for FY 2009. In addition, the Bill makes General Fund appropriations for FY 2010 of \$70.9 million.
- Appropriates \$69.9 million for Mental Health Allowed Growth for FY 2010. This is an increase of \$15.9 million compared to the FY 2009 appropriation in SF 2425 (FY 2009 Health and Human Services Appropriations Bill). (Page 1, Line 4)

- Permits the Executive Branch to continue to use the budgeting-for-results process for FY 2010 in lieu of the information currently required by statute. (Page 1, Line 22)
- Reduces the standing unlimited appropriation to the General Assembly by \$1.4 million for FY 2009. The total budget is reduced from \$38.2 million to \$36.8 million. (Page 2, Line 7)

- Limits the following FY 2009 General Fund standing appropriations to the amounts specified to maintain the current level of funding:
 - \$14.4 million to the Department of Education for Instructional Support. (Page 2, Line 20)
 - \$8.6 million to the Department of Education for Non-Public Transportation. (Page 2, Line 29)
 - \$55.5 million to the Department of Education for the Educational Excellence Program. (Page 3, Line 1)
 - \$2.7 million to the Department of Revenue for the Statewide Fire and Police Officer Retirement Fund. (Page 3, Line 4)

- Appropriates \$99.8 million from the FY 2008 General Fund ending surplus to the Property Tax Credit Fund. (Page 3, Line 9)
- Appropriates \$44.4 million from the General Fund to the Property Tax Credit Fund. (Page 3, Line 30)
- Transfers \$13.9 million of the surplus in the Salary Adjustment Fund to the Property Tax Credit Fund. (Page 3, Line 34)
- Appropriates funds from the Property Tax Credit Fund for FY 2009 for the following property tax credits and exemptions:
 - \$99.3 million for the Homestead Property Tax Credit. (Page 4, Line 19)
 - \$34.6 million for the Agricultural Land and Family Farm Tax Credit. (Page 4, Line 22)
 - \$2.8 million for the Military Service Tax Credit. (Page 4, Line 25)
 - \$23.2 million for the Elderly and Disabled Tax Credit. (Page 4, Line 28)

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CASH RESERVE FUND

- Eliminates the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund to maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2009 as established in December 2007. (Page 5, Line 32)

REVENUE ESTIMATE

- Provides that the revenue estimate of April 4, 2008, is to be used to determine the expenditure limitation for FY 2009, rather than the December 11, 2007, estimate. (Page 6, Line 1)

FISCAL IMPACT: This permits an additional \$48.6 million to be appropriated for FY 2009.

AREA EDUCATION AGENCIES

- Reduces the State aid allocation for Area Education Agencies (AEAs) by \$2.5 million for FY 2009. This is in addition to the \$7.5 million reduction in current law, making the total reduction \$10.0 million for FY 2009. This reduction is \$2.8 million less than the FY 2008 reduction. (Page 6, Line 18)

***DIVISION III – SALARIES,
COMPENSATION, AND RELATED
MATTERS***

Makes the following salary and compensation provisions:

- Provides salary increases for justices, judges, and magistrates. (Page 7, Line 11)
- Increases the salary ranges for State officers by 3.0%. (Page 10, Line 9 through Page 12, Line 14)
- Appropriates \$88.1 million from the General Fund for the Salary Adjustment Fund and allocates \$7.6 million for the Judicial Branch. (Page 12, Line 15)
- Appropriates \$1.5 million from the Road Use Tax Fund and \$8.3 million from the Primary Road Fund to the Salary Adjustment Fund. (Page 15, Line 25)
- Provides supplemental expenditure authorization for revolving trust funds, or other special funds, except the Road Use Tax Fund and the Primary Road Fund, to be used to fund salary adjustments. (Page 15, Line 33)
- Permits sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, to receive the same per diem meal allowance as covered sworn peace officers. (Page 16, Line 35)
- Makes a variety of statutory changes. Most of these changes result from legislation introduced during the 2008 Legislative Session that received approval in either the House or Senate. For a specific list, review the Code cites listing. (Page 17, Line 31 through Page 41, Line 27)

Statutory changes affecting appropriations include:

- Establishes a General Fund standing appropriation of \$1.0 million for the World Prize beginning in FY 2010. (Page 17, Line 31)
- Provides a General Fund appropriation of \$160,000 for FY 2009 to the Board of Regents for the Real Estate Education Program at the University of Northern Iowa. (Page 39, Line 33)

***DIVISION IV – MISCELLANEOUS
STATUTORY CHANGES AND
APPROPRIATIONS***

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

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***DIVISION V – STATE AID FOR
SCHOOLS – ENROLLMENT***

- Reduces the weight generated by resident students receiving competent private instruction from licensed staff provided by the public school district from 0.6 to 0.3. Requires school districts to provide the same amount of funding for home school assistance programs in FY 2009 as in FY 2008, unless the enrollment in the program decreased. Requires school districts that offered home school assistance program in FY 2008 to continue to offer the program in future years. (Page 41, Line 30)

DETAIL: The weighting reduction will reduce school district budget enrollments statewide by 1,446 for FY 2009.

FISCAL IMPACT: The estimated FY 2009 impact will be a reduction in State aid to local school districts of approximately \$7,300,000.

APPROPRIATION

- Makes an FY 2009 General Fund appropriation of \$146,000 for a one-time distribution to school districts that have expenditures associated with the home school assistance program. (Page 42, Line 10)
- Makes statutory changes related to campaign finance. (Page 42, Line 28 through Page 45, Line 27))
- Makes a variety of statutory corrective provisions. (Page 45, Line 30 through Page 53, Line 26)

DIVISION VI – CAMPAIGN FINANCE

***DIVISION VII – CORRECTIVE
PROVISIONS***

House File 2700

House File 2700 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	7	3	Nwthstnd	Sec. 2.12	General Assembly Standing Appropriation
2	20	4	Nwthstnd	Sec. 257.20	Instructional Support
2	29	4	Nwthstnd	Sec. 285.2	Nonpublic School Transportation
3	1	4	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Program
3	4	4	Nwthstnd	Sec. 411.20	Peace Officer Retirement Benefits
3	9	5	Nwthstnd	Sec. 8.57	Property Tax Credit Fund
4	4	5	Nwthstnd	Sec. 8.33	Nonreversion of Funds
4	19	5	Nwthstnd	Sec. 425.1	Homestead Property Tax Credit
4	22	5	Nwthstnd	Sec. 425A.1 and 426.1	Agricultural Land and Family Farm Tax Credits
4	25	5	Nwthstnd	Sec. 426A.1A	Military Service Tax Credit
4	28	5	Nwthstnd	Sec. 425.16-425.40	Elderly and Disabled Tax Credit
5	26	5	Nwthstnd	Sec. ALL	Property Tax Credit Amounts for FY 2010.
6	1	7	Nwthstnd	Sec. 8.22A(3)	Revenue Estimate Exception
6	18	8	Adds	Sec. 257.35(4A), Code Supplement 2007	Area Education Agency Funding Reduction
17	31	24	Adds	Sec. 15.368	World Food Prize Standing Appropriation
18	5	25	Amends	Sec. 16.92(5)(c), Code Supplement 2007	Iowa Finance Authority Mortgage Release
18	13	26	Adds	Sec. 21.5(1)(l)	Public Hospitals Closed Meetings
18	32	27	Adds	Sec. 22.7(60), Code Supplement 2007	Closed Session Meeting Records
19	14	28	Amends	Sec. 35A.8(5)(a), Code Supplement 2007	Authority for Veterans Bonuses
19	22	29	Amends	Sec. 35A.8(5)(b)(1), Code Supplement 2007	Veterans Service Period
20	13	30	Adds	Sec. 68A.401A	Reports Related to Issue Advocacy
21	15	31	Amends	Sec. 135B.5	Hospital License Fee Increase
22	1	32	Amends	Sec. 135B.7	Hospital Licensing Board Reference
22	14	33	Amends	Sec. 136.1	Board of Public Health
22	26	34	Amends	Sec. 135.2	State Board of Health Membership

Page #	Line #	Bill Section	Action	Code Section	Description
23	1	35	Amends	Sec. 175.2(1)(m)	Definition of Net Worth for Agricultural Loans
24	6	36	Adds	Sec. 279.67	Competitive Living Wage
24	10	37	Amends	Sec. 321J.13(6)	Commercial Drivers License Revocation Hearings
24	34	38	Amends	Sec. 331.304(10), Code Supplement 2007	Mobile Home Registration and Licensing
25	18	39	Amends	Sec. 364.3(5)	Mobile Home Registration and Licensing
26	2	40	Amends	Sec. 423.6(14)	Use Tax Exemption for Mobile or Manufactured Homes
26	19	41	Adds	Sec. 423F.2(1)(bb), if enacted in HF 2663	Sales Tax Capacity Per Pupil
27	3	42	Amends	Sec. 441.37A(1)	Property Assessment Appeal Board
27	30	43	Amends	Sec. 441.37A(2)	Property Assessment Appeal Board Meetings
28	16	44	Amends	Sec. 441.38(1)	Appeals to District Court
29	8	45	Adds	Sec. 441.38B	Appeals of Property Assessment Appeal Board Decisions
29	14	46	Amends	Sec. 441.43	Technical Correction
29	22	47	Adds	Sec. 455C.17	Grants for Redemption Centers
30	17	48	Amends	Sec. 535.8(1)	Definition of Lender for Real Estate Loans
31	2	49	Amends	Sec. 535.8(2)(a-b)	Real Estate Loan Fees
33	16	50	Adds	Sec. 537.3312	Gift Certificates
33	31	51	Adds	Sec. 556.1(4A), Code Supplement 2007	Gift Certificates
34	15	52	Amends	Sec. 556.9(2)	Gift Certificates - Unclaimed Property
34	29	53	Amends	Sec. 622.10(3)(a, d, and e), Code Supplement 2007	Patient Access to Health Care Records
36	13	54	Amends	Sec. 622.10(4), Code Supplement 2007	Fees for Health Care Records
37	3	55	Adds	Sec. 622.10(4A), Code Supplement 2007	Health Care Records
38	35	56	Adds	Sec. 692A.3B	Child Safety Zones
40	7	57	Nwthstnd	Sec. 8.33	Nonreversion of Funds
40	12	58	Repeals	Sec. 135B.10 and 135B.11	Hospital Licensing Board
40	18	60	Nwthstnd	Sec. 422.7(40)	Taxation of Active Duty Military Pay
40	34	62	Nwthstnd	Sec. 7J.2 and 8.33	Charter Agency Grant Fund

Page #	Line #	Bill Section	Action	Code Section	Description
41	30	66	Amends	Sec. 257.6(1)(a)(5), Code Supplement 2007	State Aid for Schools
42	28	69	Amends	Sec. 53.10, Code Supplement 2007	Electioneering Near Absentee Voting Sites
42	35	70	Amends	Sec. 53.11(4), Code Supplement 2007	Electioneering Near Satellite Voting Stations
43	8	71	Amends	Sec. 68A.404(1)	Campaign Reporting Thresholds
43	18	72	Amends	Sec. 68A.404(3)(a)	Campaign Reporting Thresholds for Advocacy Communication
43	24	73	Amends	Sec. 68A.406, Code Supplement 2007	Campaign Yard Signs

1 1 DIVISION I
 1 2 MH/MR/DD SERVICES ALLOWED
 1 3 GROWTH FUNDING == FY 2009=2010

1 4 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
 1 5 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH APPROPRIATION AND
 1 6 ALLOCATIONS == FISCAL YEAR 2009=2010.

1 7 1. There is appropriated from the general fund of the
 1 8 state to the department of human services for the fiscal year
 1 9 beginning July 1, 2009, and ending June 30, 2010, the
 1 10 following amount, or so much thereof as is necessary, to be
 1 11 used for the purpose designated:

1 12 For distribution to counties of the county mental health,
 1 13 mental retardation, and developmental disabilities allowed
 1 14 growth factor adjustment for fiscal year 2009=2010:

1 15 \$ 69,949,069

1 16 2. The amount appropriated in this section shall be
 1 17 allocated as provided in a later enactment of the general
 1 18 assembly.

1 19 DIVISION II
 1 20 STANDING APPROPRIATIONS
 1 21 AND RELATED MATTERS

1 22 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2009=2010.
 1 23 1. For the budget process applicable to the fiscal year
 1 24 beginning July 1, 2009, on or before October 1, 2008, in lieu
 1 25 of the information specified in section 8.23, subsection 1,
 1 26 unnumbered paragraph 1, and paragraph "a", all departments and
 1 27 establishments of the government shall transmit to the
 1 28 director of the department of management, on blanks to be
 1 29 furnished by the director, estimates of their expenditure
 1 30 requirements, including every proposed expenditure, for the
 1 31 ensuing fiscal year, together with supporting data and
 1 32 explanations as called for by the director of the department

General Fund appropriation for the FY 2010 Mental Health Allowed Growth funding for counties.

DETAIL: This is an increase of \$15,867,759 compared to the FY 2009 Mental Health Allowed Growth appropriation in SF 2425 (FY 2009 Health and Human Services Appropriations Bill). This includes:

- An increase of \$7,592,099 for the annual temporary location of funds usually appropriated from the Health Care Trust Fund (HCTF). This amount is appropriated from the HCTF for FY 2009 in SF 2425.
- An increase of \$8,275,660 for an additional 3.00% in the Mental Health Funding Formula for FY 2010.

Permits the Executive Branch to continue to use the budgeting-for results process for FY 2010. This is in lieu of the information currently required by statute. Requires all State departments and agencies to submit estimated expenditure requirements with supporting data and explanations to the Director of the Department of Management (DOM). Requires consultation with the Legislative Services Agency. Information submitted is also to include performance measures data.

1 33 of management after consultation with the legislative services
1 34 agency.

1 35 2. The estimates of expenditure requirements shall be in a
2 1 form specified by the director of the department of
2 2 management, and the expenditure requirements shall include all
2 3 proposed expenditures and shall be prioritized by program or
2 4 the results to be achieved. The estimates shall be
2 5 accompanied by performance measures for evaluating the
2 6 effectiveness of the programs or results.

2 7 Sec. 3. GENERAL ASSEMBLY. The appropriations made
2 8 pursuant to section 2.12 for the expenses of the general
2 9 assembly and legislative agencies for the fiscal year
2 10 beginning July 1, 2008, and ending June 30, 2009, are reduced
2 11 by the following amount:

2 12 \$ 1,439,884

CODE: Reduces the General Assembly's FY 2009 General Fund standing unlimited appropriation by \$1,439,884.

DETAIL: The General Assembly's budget for FY 2009 totals \$38,196,841. This Bill reduces the budget to \$36,756,957.

2 13 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.
2 14 Notwithstanding the standing appropriations in the following
2 15 designated sections for the fiscal year beginning July 1,
2 16 2008, and ending June 30, 2009, the amounts appropriated from
2 17 the general fund of the state pursuant to these sections for
2 18 the following designated purposes shall not exceed the
2 19 following amounts:

2 20 1. For instructional support state aid under section
2 21 257.20:

2 22 \$ 14,428,271

CODE: Limits the FY 2009 standing appropriation to the Department of Education for Instructional Support.

DETAIL: Maintains current level of funding. Funding is capped at the FY 1993 amount of \$14,798,227 unless the General Assembly appropriates a different amount. In FY 2008, the total amount needed to fully fund State aid for the Instructional Support Program was \$57,537,600.

<p>2 23 If the total amount of instructional support state aid 2 24 appropriated in accordance with this subsection is 2 25 insufficient to pay the amount of instructional support state 2 26 aid to a district as determined under section 257.20, the 2 27 department of education shall prorate the amount of the 2 28 instructional support state aid provided to each district.</p>	<p>Requires the Department of Education to prorate payments for instructional support.</p>
<p>2 29 2. For payment for nonpublic school transportation under 2 30 section 285.2: 2 31 \$ 8,604,714</p>	<p>CODE: Limits the FY 2009 standing appropriation to the Department of Education for nonpublic school transportation.</p> <p>DETAIL: Maintains current level of funding. This is a standing unlimited appropriation that has been capped in recent years.</p>
<p>2 32 If total approved claims for reimbursement for nonpublic 2 33 school pupil transportation exceed the amount appropriated in 2 34 accordance with this subsection, the department of education 2 35 shall prorate the amount of each approved claim.</p>	<p>Requires the Department of Education to prorate payment of claims for nonpublic school transportation reimbursement, if the claims exceed the appropriated amount.</p>
<p>3 1 3. For the educational excellence program under section 3 2 294A.25, subsection 1: 3 3 \$ 55,469,053</p>	<p>CODE: Limits the FY 2009 standing appropriation to the Department of Education for the Educational Excellence Program.</p> <p>DETAIL: Maintains current level of funding. This is a standing limited appropriation of \$56,891,336 that has been reduced in recent years. This Bill reduces the appropriation by \$1,422,283 for FY 2009.</p>
<p>3 4 4. For the state's share of the cost of the peace 3 5 officers' retirement benefits under section 411.20: 3 6 \$ 2,745,784</p>	<p>CODE: Limits the FY 2009 standing appropriation for the Municipal Fire and Police Retirement System.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>3 7 Sec. 5. PROPERTY TAX CREDIT FUND == PAYMENTS IN LIEU OF 3 8 GENERAL FUND REIMBURSEMENT.</p>	
<p>3 9 1. a. Notwithstanding section 8.57, prior to the</p>	<p>CODE: General Fund appropriation of \$99,849,544 to the Property</p>

<p>3 10 appropriation and distribution to the senior living trust fund 3 11 and the cash reserve fund of the surplus existing in the 3 12 general fund of the state at the conclusion of the fiscal year 3 13 beginning July 1, 2007, and ending June 30, 2008, pursuant to 3 14 section 8.57, subsections 1 and 2, of that surplus, 3 15 \$99,849,544 is appropriated to the property tax credit fund 3 16 which shall be created in the office of the treasurer of state 3 17 to be used for the purposes of this section. 3 18 b. Notwithstanding any provision in section 8.57 to the 3 19 contrary in determining the amount of the appropriation to the 3 20 senior living trust fund pursuant to section 8.57, subsection 3 21 2, paragraph "a", the following shall apply: 3 22 (1) The surplus for the fiscal year beginning July 1, 3 23 2007, shall not include the amount appropriated to the 3 24 property tax credit fund pursuant to paragraph "a" of this 3 25 subsection. 3 26 (2) The remaining surplus after the operation of 3 27 subparagraph (1) shall be appropriated to the cash reserve 3 28 fund prior to any appropriation to the senior living trust 3 29 fund.</p>	<p>Tax Credit Fund established in the Office of the Treasurer from the FY 2008 General Fund surplus, prior to the appropriation and distribution to the Senior Living Trust Fund and the Cash Reserve Fund.</p> <p>DETAIL: This Bill also appropriates \$44,400,000 from the General Fund and transfers \$13,937,263 from the Salary Adjustment Fund to the Property Tax Credit Fund and permits the transfer of \$1,682,157 from the FY 2008 ending balance in the Fund.</p>
<p>3 30 c. There is appropriated from the general fund of the 3 31 state to the property tax credit fund created in paragraph "a" 3 32 for the fiscal year beginning July 1, 2008, and ending June 3 33 30, 2009, the sum of \$44,400,000.</p>	<p>General Fund appropriation of \$44,400,000 to the Property Tax Credit Fund.</p> <p>DETAIL: This is an increase of \$16,400,000 compared to the FY 2008 General Fund appropriation to the Property Tax Credit Fund.</p>
<p>3 34 d. There is transferred from the surplus existing in the 3 35 salary adjustment fund at the conclusion of the fiscal year 4 1 beginning July 1, 2007, and ending June 30, 2008, to the 4 2 property tax credit fund created in paragraph "a", the sum of 4 3 \$13,937,263.</p>	<p>Transfers \$13,937,263 from the Salary Adjustment Fund to the Property Tax Credit Fund.</p> <p>DETAIL: The \$13,937,263 represents the remaining funds from the FY 2008 salary adjustment appropriation that was not needed to fully fund the cost of collective bargaining increases for FY 2008.</p>
<p>4 4 e. Notwithstanding section 8.33, the surplus existing in 4 5 the property tax credit fund created pursuant to 2007 Iowa</p>	<p>CODE: Permits funds remaining in the Property Tax Credit Fund at the end of FY 2008 to be transferred to the Fund created for FY 2009.</p>

<p>4 6 Acts, chapter 215, section 5, at the conclusion of the fiscal 4 7 year beginning July 1, 2007, and ending June 30, 2008, is 4 8 transferred to the property tax credit fund created in this 4 9 section.</p>	<p>DETAIL: The estimated FY 2008 ending balance is \$1,682,157.</p>
<p>4 10 2. Notwithstanding the amount of the standing 4 11 appropriation from the general fund of the state in the 4 12 following designated sections and notwithstanding any 4 13 conflicting provisions or voting requirements of section 8.56, 4 14 there is appropriated from the property tax credit fund in 4 15 lieu of the appropriations in the following designated 4 16 sections for the fiscal year beginning July 1, 2008, and 4 17 ending June 30, 2009, the following amounts for the following 4 18 designated purposes:</p>	<p>CODE: Permits the appropriation of funds for selected property tax credits from the Property Tax Credit Fund.</p> <p>DETAIL: This provision notwithstanding current law that appropriates funds from the General Fund for these property tax credits.</p>
<p>4 19 a. For reimbursement for the homestead property tax credit 4 20 under section 425.1: 4 21 \$ 99,254,781</p>	<p>CODE: Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.</p> <p>DETAIL: Maintains current level of funding. The appropriation is approximately \$39,700,000 less than the amount needed to fully fund tax credit claims for FY 2009.</p>
<p>4 22 b. For reimbursement for the agricultural land and family 4 23 farm tax credits under sections 425A.1 and 426.1: 4 24 \$ 34,610,183</p>	<p>CODE: Property Tax Credit Fund appropriation for the Agricultural Land and Family Farm Tax Credits.</p> <p>DETAIL: Maintains current level of funding. The appropriation is approximately \$4,500,000 less than the amount needed to fully fund tax credit claims for FY 2009.</p>
<p>4 25 c. For reimbursement for the military service tax credit 4 26 under section 426A.1A: 4 27 \$ 2,800,000</p>	<p>CODE: Property Tax Credit Fund appropriation for the Military Service Tax Credit.</p> <p>DETAIL: Maintains the current level of funding. The appropriation fully funds the projected tax credit claims for FY 2009.</p>
<p>4 28 d. For implementing the elderly and disabled tax credit</p>	<p>CODE: Property Tax Credit Fund appropriation for the Elderly and</p>

4 29 and reimbursement pursuant to sections 425.16 through 425.40:
 4 30 \$ 23,204,000

Disabled Tax Credit.

DETAIL: Maintains the current level of funding. The appropriation fully funds the projected tax credit claims for FY 2009.

4 31 If the director of revenue determines that the amount of
 4 32 claims for credit for property taxes due pursuant to
 4 33 paragraphs "a", "b", "c", and "d" plus the amount of claims
 4 34 for reimbursement for rent constituting property taxes paid
 4 35 which are to be paid during the fiscal year may exceed the
 5 1 total amount appropriated, the director shall estimate the
 5 2 percentage of the credits and reimbursements which will be
 5 3 funded by the appropriation. The county treasurer shall
 5 4 notify the director of the amount of property tax credits
 5 5 claimed by June 8, 2008. The director shall estimate the
 5 6 percentage of the property tax credits and rent reimbursement
 5 7 claims that will be funded by the appropriation and notify the
 5 8 county treasurer of the percentage estimate by June 15, 2008.
 5 9 The estimated percentage shall be used in computing for each
 5 10 claim the amount of property tax credit and reimbursement for
 5 11 rent constituting property taxes paid for that fiscal year.
 5 12 If the director overestimates the percentage of funding,
 5 13 claims for reimbursement for rent constituting property taxes
 5 14 paid shall be paid until they can no longer be paid at the
 5 15 estimated percentage of funding. Rent reimbursement claims
 5 16 filed after that point in time shall receive priority and
 5 17 shall be paid in the following fiscal year.

Requires the Director of the Department of Revenue to estimate the claims for property tax credits and reimbursement for rent constituting property taxes, using information the county treasurers are required to file by June 8, 2008, and identify the proration percentage if the claims are projected to exceed the appropriations. The Director is to notify the county treasurers of the proration percentage by June 15, 2008. If the Department's estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2010. If there are excess funds after claims are paid, the remaining funds are carried forward to the next fiscal year.

5 18 3. Notwithstanding any other provision, if the
 5 19 Eighty-second General Assembly, 2008 Session, enacts
 5 20 legislation that also provides for the appropriation of the
 5 21 surplus or any part of the surplus existing in the general
 5 22 fund of the state at the conclusion of the fiscal year
 5 23 beginning July 1, 2007, and ending June 30, 2008, the moneys
 5 24 appropriated from such surplus pursuant to subsection 1 shall
 5 25 have priority over all other such appropriations.

CODE: Requires the appropriation to the Property Tax Credit Fund to have priority over any other appropriation made from the FY 2008 General Fund surplus.

5 26 4. Notwithstanding the amount of the standing
5 27 appropriations from the general fund of the state from the
5 28 designated sections listed in subsection 2, unless otherwise
5 29 provided by law, for the fiscal year beginning July 1, 2009,
5 30 and ending June 30, 2010, the amounts of such standing
5 31 appropriations shall be the same as provided in subsection 2.

CODE: Specifies that standing appropriations for FY 2009 to the various property tax credits will be the same for FY 2010.

5 32 Sec. 6. CASH RESERVE APPROPRIATION FOR FY 2008=2009. For
5 33 the fiscal year beginning July 1, 2008, and ending June 30,
5 34 2009, the appropriation to the cash reserve fund provided in
5 35 section 8.57, subsection 1, paragraph "a", shall not be made.

CODE: Notwithstands the requirement for FY 2008 that a General Fund appropriation to the Cash Reserve Fund be made in the event the Cash Reserve Fund does not maintain a balance equal to 7.50% of the FY 2008 adjusted revenue estimate.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, an appropriation from the General Fund equal to 1.00% of the adjusted revenue estimate is required. If the Cash Reserve Fund balance is more than 6.50% and less than 7.50% of the adjusted revenue estimate, the appropriation is the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate. The balance in the Cash Reserve Fund is estimated to be \$461,900,000 for FY 2009. This is 7.50% of the FY 2009 adjusted revenue estimate.

6 1 Sec. 7. APRIL 4, 2008, REVENUE ESTIMATE. For use by the
6 2 general assembly in the budget process and the governor's
6 3 approval or disapproval of the appropriations bills for the
6 4 fiscal year beginning July 1, 2008, and for purposes of
6 5 calculating the state general fund expenditure limitation
6 6 pursuant to section 8.54 for the fiscal year beginning July 1,
6 7 2008, the revenue estimate for the fiscal year beginning July
6 8 1, 2008, that shall be used in the budget process and such
6 9 calculation shall be the revenue estimate determined by the
6 10 revenue estimating conference on April 4, 2008,
6 11 notwithstanding the provision in section 8.22A, subsection 3,
6 12 that disallows the use of a revenue estimate agreed to at a
6 13 later meeting that projects a greater amount than the initial
6 14 estimated amount agreed to in December 2007. This section
6 15 also authorizes the use of the estimated revenue figures for

CODE: Requires the Revenue Estimating Conference (REC) revenue estimate of April 4, 2008, to be used to determine the expenditure limitation for FY 2009, instead of the December 11, 2007, estimate.

FISCAL IMPACT: Using the April 4, 2008, estimate will permit an additional \$48,600,000 to be appropriated for FY 2009.

6 16 the purposes or sources designated in section 8.22A,
6 17 subsection 5.

6 18 Sec. 8. Section 257.35, Code Supplement 2007, is amended
6 19 by adding the following new subsection:
6 20 NEW SUBSECTION . 4A. Notwithstanding subsection 1, and in
6 21 addition to the reduction applicable pursuant to subsection 2,
6 22 the state aid for area education agencies and the portion of
6 23 the combined district cost calculated for these agencies for
6 24 the fiscal year beginning July 1, 2008, shall be reduced by
6 25 the department of management by two million five hundred
6 26 thousand dollars. The reduction for each area education
6 27 agency shall be prorated based on the reduction that the
6 28 agency received in the fiscal year beginning July 1, 2003.

CODE: Reduces State Aid funding for Area Education Agency (AEA) by \$2,500,000 in addition to the \$7,500,000 reduction in current law.

DETAIL: The total reduction in FY 2009 State Aid for AEA's is \$10,000,000. For FY 2008, the reduction was \$12,750,000. The reduction for each AEA will be prorated based on the FY 2004 reductions.

6 29 Sec. 9. AREA EDUCATION AGENCY PAYMENTS. It is the intent
6 30 of the general assembly that for the fiscal year beginning
6 31 July 1, 2009, and subsequent fiscal years there shall be no
6 32 additional reduction in state aid to area education agencies
6 33 and the combined district cost calculated for those agencies
6 34 over the reduction applicable pursuant to section 257.35,
6 35 subsection 2.

Specifies that it is the intent of the General Assembly that the State aid reduction to the AEAs will remain at \$7,500,000 for FY 2010 and future fiscal years.

7 1 Sec. 10. EFFECTIVE AND APPLICABILITY DATES.
7 2 1. The section of this division of this Act creating the
7 3 property tax credit fund, being deemed of immediate
7 4 importance, takes effect upon enactment.
7 5 2. The section of this division of this Act relating to
7 6 the use of the April 4, 2008, revenue estimate, being deemed
7 7 of immediate importance, takes effect upon enactment and
7 8 applies retroactively to January 14, 2008.

The Section related to the Property Tax Credit Fund is effective on enactment. The Section related to use of the April 4, 2008, revenue estimate is retroactive to January 14, 2008.

7 9 DIVISION III
7 10 SALARIES, COMPENSATION, AND RELATED MATTERS

7 11 Sec. 11. STATE COURT == JUSTICES, JUDGES, AND MAGISTRATES.

7 12 1. The salary rates specified in subsection 2 are for the
7 13 fiscal year beginning July 1, 2008, effective for the pay
7 14 period beginning June 27, 2008, and for subsequent fiscal
7 15 years until otherwise provided by the general assembly. The
7 16 salaries provided for in this section shall be paid from funds
7 17 allocated to the judicial branch from the salary adjustment
7 18 fund or if the allocation is not sufficient, from funds
7 19 appropriated to the judicial branch pursuant to any Act of the
7 20 general assembly.

7 21 2. The following annual salary rates shall be paid to the
7 22 persons holding the judicial positions indicated during the
7 23 fiscal year beginning July 1, 2008, effective with the pay
7 24 period beginning June 27, 2008, and for subsequent pay
7 25 periods.

7 26 a. Chief justice of the supreme court:

7 27 \$ 170,850

7 28 b. Each justice of the supreme court:

7 29 \$ 163,200

7 30 c. Chief judge of the court of appeals:

7 31 \$ 153,000

7 32 d. Each associate judge of the court of appeals:

7 33 \$ 147,900

7 34 e. Each chief judge of a judicial district:

7 35 \$ 142,800

8 1 f. Each district judge except the chief judge of a
8 2 judicial district:

8 3 \$ 137,700

8 4 g. Each district associate judge:

8 5 \$ 122,400

8 6 h. Each associate juvenile judge:

8 7 \$ 122,400

8 8 i. Each associate probate judge:

8 9 \$ 122,400

8 10 j. Each judicial magistrate:

8 11 \$ 37,740

8 12 k. Each senior judge:

DETAIL: Provides salary increases for Justices, Judges, and Magistrates to fund the Third Phase of the Blue Ribbon Commission Report. The percentage increase per position is as follows:

- Supreme Court Chief Justice - 11.59%
- Supreme Court Justices - 11.10%
- Court of Appeals Chief Judge - 7.95%
- Court of Appeals Judges - 8.16%
- District Court Chief Judges - 6.87%
- District Court Judges - 7.12%
- District Associate Judges - 8.11%
- Juvenile Associate Judges - 8.11%
- Probate Associate Judges - 8.11%
- Magistrates - 8.19%
- Senior Judges - 12.74%

8 13 \$ 8,160
 8 14 3. Persons receiving the salary rates established under
 8 15 this section shall not receive any additional salary
 8 16 adjustments provided by this division of this Act.

8 17 Sec. 12. ELECTIVE EXECUTIVE OFFICIALS.
 8 18 1. The annual salary rates specified in this section are
 8 19 effective for the fiscal year beginning July 1, 2008, with the
 8 20 pay period beginning June 27, 2008, and for subsequent fiscal
 8 21 years until otherwise provided by the general assembly.
 8 22 The salaries provided for in this section shall be paid
 8 23 from funds allocated to the office, department, or agency of
 8 24 the elected official specified in subsections 2, 3, and 4 from
 8 25 the salary adjustment fund, if the allocation is not
 8 26 sufficient, from funds appropriated to the office, department,
 8 27 or agency.
 8 28 2. The annual salary rates paid to the person holding the
 8 29 following elected offices shall be equal to 82.65 percent of
 8 30 the maximum of range 7 of the salary ranges specified in this
 8 31 division of this Act for appointed state officers, rounded to
 8 32 the nearest \$10: secretary of agriculture, auditor of state,
 8 33 secretary of state, treasurer of state, and lieutenant
 8 34 governor.
 8 35 3. The annual salary rate paid to the attorney general
 9 1 shall be equal to 89 percent of the maximum of range 7 of the
 9 2 salary ranges specified in this division of this Act for
 9 3 appointed state officers, rounded to the nearest \$10.
 9 4 4. The annual salary rate paid to the governor shall be
 9 5 equal to 92.4 percent of the maximum of range 7 of the salary
 9 6 ranges specified in this division of this Act for appointed
 9 7 state officers, rounded to the nearest \$10.

9 8 Sec. 13. APPOINTED STATE OFFICERS. The governor shall
 9 9 establish a salary for appointed nonelected persons in the
 9 10 executive branch of state government holding a position
 9 11 enumerated in the section of this division of this Act that

Establishes the following salary rates for elected officials based upon the maximum of salary range 7 (\$154,300) beginning July 1, 2008:

- Secretary of Agriculture - \$127, 530 (current salary is \$103,212).
- Attorney General - \$137,330 (current salary is \$123,926).
- Auditor of State - \$127,530 (current salary is \$103,212).
- Secretary of State - \$127,530 (current salary is \$103,212).
- Treasurer of State - \$127,530 (current salary is \$103,212).
- Lt. Governor - \$127,530 (current salary is \$103,212).
- Governor - \$142,570 (current salary is \$130,000).

Requires the Governor to set the salary for most nonelected State officials within the ranges authorized in Section 14. The salaries for the Consumer Advocate, State Court Administrator, Secretary of the State Fair Board, and the Administrator of the Public Broadcasting Division of the Department of Education are set by the appropriate

9 12 addresses the salary ranges of state officers within the range
9 13 provided, by considering, among other items, the experience of
9 14 the individual in the position, changes in the duties of the
9 15 position, the incumbent's performance of assigned duties, and
9 16 subordinates' salaries. However, the attorney general shall
9 17 establish the salary for the consumer advocate, the chief
9 18 justice of the supreme court shall establish the salary for
9 19 the state court administrator, the ethics and campaign
9 20 disclosure board shall establish the salary of the executive
9 21 director, the state fair board shall establish the salary of
9 22 the secretary of the Iowa state fair board, and the Iowa
9 23 public broadcasting board shall establish the salary of the
9 24 administrator of the public broadcasting division of the
9 25 department of education, each within the salary range provided
9 26 in the section of this division of this Act that addresses the
9 27 salary ranges of state officers.
9 28 The governor, in establishing salaries as provided in the
9 29 section of this division of this Act that addresses the salary
9 30 ranges of state officers, shall take into consideration other
9 31 employee benefits which may be provided for an individual
9 32 including but not limited to housing.

9 33 A person whose salary is established pursuant to the
9 34 section of this division of this Act that addresses the salary
9 35 ranges of state officers and who is a full-time, year-round
10 1 employee of the state shall not receive any other remuneration
10 2 from the state or from any other source for the performance of
10 3 that person's duties unless the additional remuneration is
10 4 first approved by the governor or authorized by law. However,
10 5 this provision does not exclude the reimbursement for
10 6 necessary travel and expenses incurred in the performance of
10 7 duties or fringe benefits normally provided to employees of
10 8 the state.

10 9 Sec. 14. STATE OFFICERS == SALARY RANGE. The following
10 10 annual salary ranges are effective for the positions specified

directors or boards.

DETAIL: These salary range adjustments will have an unknown fiscal impact for FY 2009. The cost will be determined by placement of each appointed officer in their salary range.

Prohibits appointed nonelected State officials from receiving other State remuneration unless authorized by the Governor or by law. This does not apply to travel or expense reimbursements or fringe benefits.

Provides that salary ranges for appointed nonelected officials are effective for FY 2009.

10 11 in this section for the fiscal year beginning July 1, 2008,
 10 12 and for subsequent fiscal years until otherwise provided by
 10 13 the general assembly. The governor or other person designated
 10 14 in the section of this division of this Act relating to
 10 15 appointed state officers shall determine the salary to be paid
 10 16 to the person indicated at a rate within this salary range
 10 17 from funds appropriated by the general assembly for that
 10 18 purpose.

10 19 1. The following are salary ranges for appointed state
 10 20 officers for the fiscal year beginning July 1, 2008, effective
 10 21 with the pay period beginning June 27, 2008:

10 22	SALARY RANGE	Minimum	Maximum
10 23	a. Range 2	\$ 48,160	\$ 73,700
10 24	b. Range 3	\$ 55,380	\$ 84,750
10 25	c. Range 4	\$ 63,690	\$ 97,460
10 26	d. Range 5	\$ 73,250	\$112,070
10 27	e. Range 6	\$ 84,240	\$128,890
10 28	f. Range 7	\$100,840	\$154,300

Sets the salary rates and ranges for State officials and specifies that the ranges are effective with the pay period beginning June 27, 2008.

DETAIL: The maximum salary for any State official is increased by \$4,498 (3.00%). Salary range 1 was removed since no State official had been placed in range 1.

10 29 2. The following are range 2 positions: administrator of
 10 30 the arts division of the department of cultural affairs,
 10 31 administrators of the division of persons with disabilities,
 10 32 the division on the status of women, the division on the
 10 33 status of lowans of Asian and Pacific Islander heritage, the
 10 34 division on the status of African-Americans, the division of
 10 35 deaf services, and the division of Latino affairs of the
 11 1 department of human rights.

Establishes the following State officials in salary range 2 (\$48,160 - \$73,700).

DETAIL: The positions are as follows:

- Administrator of the Arts Division of the Department of Cultural Affairs.
- Administrator of the Division of Persons with Disabilities of the Department of Human Rights.
- Administrator of the Division on the Status of Women of the Department of Human Rights.
- Administrator of the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights.
- Administrator of the Division on the Status of African-Americans of the Department of Human Rights.
- Administrator of the Division of Deaf Services of the Department of Human Rights.

11 2 3. The following are range 3 positions: administrator of
 11 3 the division of criminal and juvenile justice planning of the
 11 4 department of human rights, administrator of the division of
 11 5 community action agencies of the department of human rights,
 11 6 executive director of the department of veterans affairs, and
 11 7 chairperson and members of the employment appeal board of the
 11 8 department of inspections and appeals.

- Administrator of the Division of Latino Affairs of the Department of Human Rights.

Establishes the following State officials in salary range 3 (\$55,380 - \$84,750).

DETAIL: The positions are as follows:

- Administrator of the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights.
- Administrator of the Division of Community Action Agencies of the Department of Human Rights.
- Executive Director of the Department of Veterans Affairs.
- Chairperson and two members of the Employment Appeal Board of the Department of Inspections and Appeals.

11 9 4. The following are range 4 positions: director of the
 11 10 department of human rights, director of the Iowa state civil
 11 11 rights commission, executive director of the college student
 11 12 aid commission, director of the department for the blind,
 11 13 executive director of the ethics and campaign disclosure
 11 14 board, members of the public employment relations board, and
 11 15 chairperson, vice chairperson, and members of the board of
 11 16 parole.

Establishes the following State officials in salary range 4 (\$63,690 - \$97,460).

DETAIL: The positions are as follows:

- Director of the Department of Human Rights.
- Director of the Iowa State Civil Rights Commission.
- Executive Director of the College Student Aid Commission.
- Director of the Department for the Blind.
- Executive Director of the Ethics and Campaign Disclosure Board.
- Members of the Public Employment Relations Board.
- Board of Parole - Chairperson, Vice Chairperson, and three members.

11 17 5. The following are range 5 positions: administrator of
 11 18 the division of homeland security and emergency management of
 11 19 the department of public defense, state public defender, drug
 11 20 policy coordinator, labor commissioner, workers' compensation
 11 21 commissioner, director of the department of cultural affairs,
 11 22 director of the department of elder affairs, director of the

Establishes the following State officials in salary range 5 (\$73,250 - \$112,070).

DETAIL: The positions are as follows:

- Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense.

11 23 law enforcement academy, and administrator of the historical
11 24 division of the department of cultural affairs.

- State Public Defender.
- Drug Policy Coordinator.
- Labor Commissioner (Workforce Development).
- Workers' Compensation Commissioner (Workforce Development).
- Director of the Department of Cultural Affairs.
- Director of the Department of Elder Affairs.
- Director of the Iowa Law Enforcement Academy.
- Administrator of the Historical Division of the Department of Cultural Affairs.

11 25 6. The following are range 6 positions: director of the
11 26 office of energy independence, superintendent of banking,
11 27 superintendent of credit unions, administrator of the
11 28 alcoholic beverages division of the department of commerce,
11 29 director of the department of inspections and appeals,
11 30 commandant of the Iowa veterans home, commissioner of public
11 31 safety, commissioner of insurance, executive director of the
11 32 Iowa finance authority, director of the department of natural
11 33 resources, consumer advocate, and chairperson of the utilities
11 34 board. The other members of the utilities board shall receive
11 35 an annual salary within a range of not less than 90 percent
12 1 but not more than 95 percent of the annual salary of the
12 2 chairperson of the utilities board.

Establishes the following State officials in salary range 6 (\$84,240 - \$128,890).

DETAIL: The positions include:

- Director of the Office of Energy Independence.
- Superintendent of Banking (Department of Commerce).
- Superintendent of Credit Unions (Department of Commerce).
- Administrator of the Alcoholic Beverages Division (Department of Commerce).
- Director of the Department of Inspections and Appeals.
- Commandant of the Veterans Home.
- Commissioner of the Department of Public Safety.
- Commissioner of Insurance (Department of Commerce).
- Executive Director of the Iowa Finance Authority.
- Director of the Department of Natural Resources.
- Consumer Advocate.
- Chairperson of the Utilities Board (Department of Commerce).
The remaining two members of the Utilities Board receive not less than 90.00% and not more than 95.00% of the annual salary of the Chairperson.

12 3 7. The following are range 7 positions: administrator of
12 4 the public broadcasting division of the department of
12 5 education, director of the department of corrections, director

Establishes the following State officials in salary range 7 (\$100,840 - \$154,300).

12 6 of the department of education, director of human services,
 12 7 director of the department of economic development, executive
 12 8 director of the Iowa telecommunications and technology
 12 9 commission, executive director of the state board of regents,
 12 10 director of transportation, director of the department of
 12 11 workforce development, director of revenue, director of public
 12 12 health, state court administrator, secretary of the Iowa state
 12 13 fair board, director of the department of management, and
 12 14 director of the department of administrative services.

DETAIL: The positions include:

- Administrator of the Public Broadcasting Division (Department of Education).
- Director of the Department of Corrections.
- Director of the Department of Education.
- Director of the Department of Human Services.
- Director of the Department of Economic Development.
- Executive Director of the Iowa Telecommunications and Technology Commission (ICN).
- Executive Director of the State Board of Regents.
- Director of the Department of Transportation.
- Director of the Department of Workforce Development.
- Director of the Department of Revenue.
- Director of the Department of Public Health.
- State Court Administrator.
- Secretary of the State Fair Board.
- Director of the Department of Management.
- Director of the Department of Administrative Services.

12 15 Sec. 15. COLLECTIVE BARGAINING AGREEMENTS FUNDED ==
 12 16 GENERAL FUND. There is appropriated from the general fund of
 12 17 the state to the salary adjustment fund for distribution by
 12 18 the department of management to the various state departments,
 12 19 boards, commissions, councils, and agencies, including the
 12 20 state board of regents and the judicial branch, for the fiscal
 12 21 year beginning July 1, 2008, and ending June 30, 2009, the
 12 22 amount of \$88,100,000, or so much thereof as may be necessary,
 12 23 to fully fund annual pay adjustments, expense reimbursements,
 12 24 and related benefits implemented pursuant to the following:
 12 25 1. The collective bargaining agreement negotiated pursuant
 12 26 to chapter 20 for employees in the blue collar bargaining
 12 27 unit.
 12 28 2. The collective bargaining agreement negotiated pursuant
 12 29 to chapter 20 for employees in the public safety bargaining

General Fund appropriation of \$88,100,000 to the Salary Adjustment Fund for FY 2009 to be distributed by the Department of Management (DOM) to the various State departments, boards, commissions, councils, and agencies, including the State Board of Regents, to pay salary increases negotiated by the bargaining units as listed, with an allocation of \$7,647,352 for Judicial Branch employees.

DETAIL: The funding represents approximately 89.4% of the identified salary increase need. The appropriation funds the collective bargaining agreements for contract-covered employees in all collective bargaining units. These include:

American Federation of State, County, and Municipal Employees (AFSCME - Central and Community Based Corrections (CBCs)):

- 3.00% across-the-board pay increase on June 27, 2008.

12 30 unit.	<ul style="list-style-type: none"> • Step increases of 4.50% for eligible employees during FY 2009.
12 31 3. The collective bargaining agreement negotiated pursuant	
12 32 to chapter 20 for employees in the security bargaining unit.	Iowa United Professionals (IUP) - Social Services and Science:
12 33 4. The collective bargaining agreement negotiated pursuant	
12 34 to chapter 20 for employees in the technical bargaining unit.	<ul style="list-style-type: none"> • 3.00% across-the-board pay increase on June 27, 2008.
12 35 5. The collective bargaining agreement negotiated pursuant	<ul style="list-style-type: none"> • Step increases of 4.50% for eligible employees during FY 2009.
13 1 to chapter 20 for employees in the professional fiscal and	
13 2 staff bargaining unit.	State Police Officer's Council (SPOC):
13 3 6. The collective bargaining agreement negotiated pursuant	
13 4 to chapter 20 for employees in the clerical bargaining unit.	<ul style="list-style-type: none"> • 2.00% across-the-board pay increase on June 27, 2008.
13 5 7. The collective bargaining agreement negotiated pursuant	<ul style="list-style-type: none"> • Continuation of 3.50% merit step increases for employees that
13 6 to chapter 20 for employees in the professional social	are not at the top step of the pay range.
13 7 services bargaining unit.	Judicial Public, Professional, and Maintenance Employees (PPME):
13 8 8. The collective bargaining agreement negotiated pursuant	
13 9 to chapter 20 for employees in the community-based corrections	<ul style="list-style-type: none"> • 2.00% across-the-board pay increase on June 27, 2008.
13 10 bargaining unit.	<ul style="list-style-type: none"> • Step increases of 4.50% for eligible employees during FY 2009.
13 11 9. The collective bargaining agreements negotiated	
13 12 pursuant to chapter 20 for employees in the judicial branch of	Judicial AFSCME:
13 13 government bargaining units.	
13 14 10. The collective bargaining agreement negotiated	<ul style="list-style-type: none"> • 2.00% across-the-board pay increase on June 27, 2008.
13 15 pursuant to chapter 20 for employees in the patient care	<ul style="list-style-type: none"> • Step increases of 4.50% for eligible employees during FY 2009.
13 16 bargaining unit.	
13 17 11. The collective bargaining agreement negotiated	
13 18 pursuant to chapter 20 for employees in the science bargaining	
13 19 unit.	
13 20 12. The collective bargaining agreement negotiated	
13 21 pursuant to chapter 20 for employees in the university of	
13 22 northern Iowa faculty bargaining unit.	
13 23 13. The collective bargaining agreement negotiated	
13 24 pursuant to chapter 20 for employees in the state university	
13 25 of Iowa graduate student bargaining unit.	
13 26 14. The collective bargaining agreement negotiated	
13 27 pursuant to chapter 20 for employees in the state university	
13 28 of Iowa hospital and clinics tertiary health care bargaining	
13 29 unit.	
13 30 15. The annual pay adjustments, related benefits, and	
13 31 expense reimbursements referred to in the sections of this	
13 32 division of this Act addressing noncontract state and board of	

13 33 regents employees who are not covered by a collective
 13 34 bargaining agreement.
 13 35 Of the amount appropriated in this section, \$7,647,352
 14 1 shall be allocated to the judicial branch for the purposes of
 14 2 funding annual pay adjustments, expense reimbursements, and
 14 3 related benefits implemented for judicial branch employees.

14 4 Sec. 16. NONCONTRACT STATE EMPLOYEES == GENERAL.

14 5 1. a. For the fiscal year beginning July 1, 2008, the
 14 6 maximum and minimum salary levels of all pay plans provided
 14 7 for in section 8A.413, subsection 2, as they exist for the
 14 8 fiscal year ending June 30, 2008, shall be increased by 3
 14 9 percent for the pay period beginning June 27, 2008, and any
 14 10 additional changes in the pay plans shall be approved by the
 14 11 governor.

14 12 b. For the fiscal year beginning July 1, 2008, employees
 14 13 may receive a step increase or the equivalent of a step
 14 14 increase.

14 15 c. Notwithstanding the increase in paragraph "a",
 14 16 noncontract judicial branch employees shall receive increases
 14 17 similar to those employees covered by collective bargaining
 14 18 agreements negotiated by the judicial branch.

14 19 2. The pay plans for state employees who are exempt from
 14 20 chapter 8A, subchapter IV, and who are included in the
 14 21 department of administrative service's centralized payroll
 14 22 system shall be increased in the same manner as provided in
 14 23 subsection 1, and any additional changes in any executive
 14 24 branch pay plans shall be approved by the governor.

14 25 3. This section does not apply to members of the general
 14 26 assembly, board members, commission members, salaries of
 14 27 persons set by the general assembly pursuant to this division
 14 28 of this Act or set by the governor, or other persons
 14 29 designated in the section of this division of this Act
 14 30 addressing appointed state officers, employees designated
 14 31 under section 8A.412, subsection 5, and employees covered by
 14 32 11 IAC 53.6(3).

14 33 4. The pay plans for the bargaining eligible employees of

Provides noncontract State employees, excluding the judicial noncontract employees, with an increase of 3.00% on June 27, 2008, and continuation of merit step increases for employees that are not at the top of the pay range.

Specifies that noncontract State employee increases do not apply to:

- Members of the General Assembly.
- Board or commission members.
- Salaries set by the General Assembly.
- Salaries set by the Governor.
- Employees under Section 8A.412(5), Code of Iowa, (presidents, deans, directors, teachers, professional and scientific personnel, and student employees of the Board of Regents).
- Employees of the Board of Regents (except Board Office employees).
- Employees that exceed the pay for the top of the range.

DETAIL: The appropriation in this Section providing funding for collective bargaining agreements provides funds for noncontract-covered employees including:

Judicial Exempt:

- 2.00% across-the-board pay increase on June 27, 2008.
- Step increases of 4.50% for eligible employees during FY 2009.

Non-Contract:

- 3.00% across-the-board pay increase on June 27, 2008.
- Step increases of 4.50% for eligible employees during FY 2009.

14 34 the state shall be increased in the same manner as provided in
 14 35 subsection 1, and any additional changes in such executive
 15 1 branch pay plans shall be approved by the governor. As used
 15 2 in this section, "bargaining eligible employee" means an
 15 3 employee who is eligible to organize under chapter 20, but has
 15 4 not done so.

15 5 5. The policies for implementation of this section shall
 15 6 be approved by the governor.

Requires the Governor to approve the policies for implementation of this Section.

15 7 Sec. 17. STATE EMPLOYEES == STATE BOARD OF REGENTS. Funds
 15 8 from the appropriation made from the general fund of the state
 15 9 in the section of this division of this Act providing for
 15 10 funding of collective bargaining agreements shall be allocated
 15 11 to the state board of regents for the purposes of providing
 15 12 increases for state board of regents employees covered by such
 15 13 section of this division of this Act and for state board of
 15 14 regents employees not covered by a collective bargaining
 15 15 agreement as follows:
 15 16 1. For regents merit system employees and merit
 15 17 supervisory employees to fund for the fiscal year increases
 15 18 comparable to those provided for similar contract-covered
 15 19 employees in this division of this Act.
 15 20 2. For faculty members and professional and scientific
 15 21 employees to fund for the fiscal year percentage increases
 15 22 comparable to those provided for contract-covered employees in
 15 23 the university of northern Iowa faculty bargaining unit.

Allocates a portion of the \$88,100,000 appropriated in Section 15 to the Board of Regents for contract and noncontract employee salary increases.

DETAIL: Board of Regents merit system employees receive an increase comparable to other contract-covered employees.

AFSCME Regents

- Step increases of 4.50% for eligible employees during FY 2009.
- 3.00% across-the-board pay increase on July 1, 2008.

FISCAL IMPACT: The identified need for FY 2009 salary increases for Board of Regents employees is \$46,590,006.

15 24 Sec. 18. APPROPRIATIONS FROM ROAD FUNDS.

15 25 1. There is appropriated from the road use tax fund to the
 15 26 salary adjustment fund for the fiscal year beginning July 1,
 15 27 2008, and ending June 30, 2009, the following amount, or so
 15 28 much thereof as may be necessary, to be used for the purpose
 15 29 designated:

Road Use Tax Fund appropriation to the Salary Adjustment Fund.

DETAIL: This is a decrease of \$808,903 compared to the estimated FY 2008 appropriation.

15 30 To supplement other funds appropriated by the general
 15 31 assembly:
 15 32 \$ 1,485,911

15 33 2. There is appropriated from the primary road fund to the
 15 34 salary adjustment fund, for the fiscal year beginning July 1,
 15 35 2008, and ending June 30, 2009, the following amount, or so
 16 1 much thereof as may be necessary, to be used for the purpose
 16 2 designated:
 16 3 To supplement other funds appropriated by the general
 16 4 assembly:
 16 5 \$ 8,335,688

16 6 3. Except as otherwise provided in this division of this
 16 7 Act, the amounts appropriated in subsections 1 and 2 shall be
 16 8 used to fund the annual pay adjustments, expense
 16 9 reimbursements, and related benefits for public employees as
 16 10 provided in this division of this Act.

16 11 Sec. 19. SPECIAL FUNDS == AUTHORIZATION. To departmental
 16 12 revolving, trust, or special funds, except for the primary
 16 13 road fund or the road use tax fund, for which the general
 16 14 assembly has established an operating budget, a supplemental
 16 15 expenditure authorization is provided, unless otherwise
 16 16 provided, in an amount necessary to fund salary adjustments as
 16 17 otherwise provided in this division of this Act.

16 18 Sec. 20. GENERAL FUND SALARY MONEYS. Funds appropriated
 16 19 from the general fund of the state for distribution from the
 16 20 salary adjustment fund in the section of this division of this
 16 21 Act providing for funding of collective bargaining agreements
 16 22 relate only to salaries supported from general fund
 16 23 appropriations of the state. Funds appropriated from the
 16 24 general fund of the state for employees of the state board of
 16 25 regents relate only to salaries supported by tuition or from

Primary Road Fund appropriation to the Salary Adjustment Fund.

DETAIL: This is a decrease of \$3,452,578 compared to the estimated FY 2008 appropriation.

Requires appropriations from the Road Use Tax Fund and the Primary Road Fund to be used as provided in this Bill.

Provides supplemental expenditure authorization for revolving trust funds or other special funds, except the Road Use Tax Fund and the Primary Road Fund, to be used to fund salary adjustments.

Requires that the General Fund appropriation made in this Bill be used only to support salaries funded from the General Fund.

DETAIL: Salaries supported by tuition have now been added for consideration for salary distribution funding to the State Board of Regents.

16 26 general fund appropriations of the state and shall exclude
 16 27 general university indirect costs and general university
 16 28 federal funds.

16 29 Sec. 21. FEDERAL FUNDS APPROPRIATED. All federal grants
 16 30 to and the federal receipts of the agencies affected by this
 16 31 division of Act which are received and may be expended for
 16 32 purposes of this division of this Act are appropriated for
 16 33 those purposes and as set forth in the federal grants or
 16 34 receipts.

Requires eligible federal funds received to be expended for salary adjustments where appropriate.

16 35 Sec. 22. STATE TROOPER MEAL ALLOWANCE. The sworn peace
 17 1 officers in the department of public safety who are not
 17 2 covered by a collective bargaining agreement negotiated
 17 3 pursuant to chapter 20 shall receive the same per diem meal
 17 4 allowance as the sworn peace officers in the department of
 17 5 public safety who are covered by a collective bargaining
 17 6 agreement negotiated pursuant to chapter 20.

Permits sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, to receive the same per diem meal allowance as covered sworn peace officers.

17 7 Sec. 23. SALARY MODEL ADMINISTRATOR. The salary model
 17 8 administrator shall work in conjunction with the legislative
 17 9 services agency to maintain the state's salary model used for
 17 10 analyzing, comparing, and projecting state employee salary and
 17 11 benefit information, including information relating to
 17 12 employees of the state board of regents. The department of
 17 13 revenue, the department of administrative services, the five
 17 14 institutions under the jurisdiction of the state board of
 17 15 regents, the judicial district departments of correctional
 17 16 services, and the state department of transportation shall
 17 17 provide salary data to the department of management and the
 17 18 legislative services agency to operate the state's salary
 17 19 model. The format and frequency of provision of the salary
 17 20 data shall be determined by the department of management and
 17 21 the legislative services agency. The information shall be
 17 22 used in collective bargaining processes under chapter 20 and

Requires the Department of Management (DOM) salary model administrator to work in conjunction with the Legislative Services Agency (LSA) in maintaining the State's salary model.

Requires the following departments or entities to provide salary data to the DOM and the LSA:

- Revenue
- Administrative Services
- Five institutions of the Board of Regents
- Eight judicial district departments of community-based corrections
- Transportation

Permits a State employee organization to request information produced by the model, however, the information provided can not be individually identifiable.

17 23 in calculating the funding needs contained within the annual
17 24 salary adjustment legislation. A state employee organization
17 25 as defined in section 20.3, subsection 4, may request
17 26 information produced by the model, but the information
17 27 provided shall not contain information attributable to
17 28 individual employees.

17 29 DIVISION IV

17 30 MISCELLANEOUS STATUTORY CHANGES == APPROPRIATIONS

17 31 Sec. 24. NEW SECTION . 15.368 WORLD FOOD PRIZE AWARD AND
17 32 SUPPORT.

17 33 1. Commencing with the fiscal year beginning July 1, 2009,
17 34 there is annually appropriated from the general fund of the
17 35 state to the department one million dollars for the support of
18 1 the world food prize award.

18 2 2. The Iowa state capitol is designated as the primary
18 3 location for the annual ceremony to award the world food
18 4 prize.

CODE: Establishes a standing General Fund appropriation of \$1,000,000 for the World Food Prize beginning in FY 2009. Designate the Capitol as the primary location for the annual award ceremony.

DETAIL: The estimated FY 2008 General Fund appropriation for the World Food is \$450,000. The appropriation for FY 2009 is increased to \$1,000,000 in HF 2699 (FY 2009 Economic Development Appropriations Bill).

18 5 Sec. 25. Section 16.92, subsection 5, paragraph c, Code
18 6 Supplement 2007, is amended to read as follows:

18 7 c. In addition to any other remedy provided by law, if the
18 8 division through an act of negligence wrongfully or
18 9 erroneously records a certificate of release under this
18 10 section, the division is liable to the mortgagee and mortgage
18 11 servicer for actual damages sustained due to the recording of
18 12 the certificate of release.

CODE: Adds statutory language regarding release of mortgage certificates by the Iowa Finance Authority.

18 13 Sec. 26. Section 21.5, subsection 1, Code Supplement 2007,
18 14 is amended by adding the following new paragraph:

18 15 NEW PARAGRAPH . I. To discuss patient care quality and
18 16 process improvement initiatives in a meeting of a public
18 17 hospital or to discuss marketing and pricing strategies or
18 18 similar proprietary information in a meeting of a public

CODE: Permits public hospitals to have closed meetings under certain circumstances.

18 19 hospital, where public disclosure of such information would
18 20 harm such a hospital's competitive position when no public
18 21 purpose would be served by public disclosure. The minutes and
18 22 the audio recording of a closed session under this paragraph
18 23 shall be available for public inspection when the public
18 24 disclosure would no longer harm the hospital's competitive
18 25 position. For purposes of this paragraph, "public hospital"
18 26 means the same as defined in section 249J.3. This paragraph
18 27 does not apply to the information required to be disclosed
18 28 pursuant to section 347.13, subsection 14, or to any
18 29 discussions relating to terms or conditions of employment,
18 30 including but not limited to compensation of an officer or
18 31 employee or group of officers or employees.

18 32 Sec. 27. Section 22.7, Code Supplement 2007, is amended by
18 33 adding the following new subsection:
18 34 NEW SUBSECTION . 60. CLOSED SESSION RECORDS. Information
18 35 in a record that would permit a governmental body subject to
19 1 chapter 21 to hold a closed session pursuant to section 21.5
19 2 in order to avoid public disclosure of that information, until
19 3 such time as final action is taken on the subject matter of
19 4 that information. Any portion of such a record not subject to
19 5 this subsection shall be made available to the public. After
19 6 the governmental body has taken final action on the subject
19 7 matter pertaining to the information in that record, this
19 8 subsection shall no longer apply. This subsection shall not
19 9 apply more than ninety days after a record is known to exist
19 10 by the governmental body, unless it is not possible for the
19 11 governmental body to take final action within ninety days.
19 12 The burden shall be on the governmental body to prove that
19 13 final action was not possible within the ninety-day period.

CODE: Statutory changes related to closed session meeting records of governmental bodies.

19 14 Sec. 28. Section 35A.8, subsection 5, paragraph a, Code
19 15 Supplement 2007, is amended to read as follows:
19 16 a. The executive director shall provide for the
19 17 administration of the bonus authorized in this subsection.

CODE: Changes the statutory reference related to veterans bonuses from the Veterans Affairs Commission to the Department of Veterans Affairs.

19 18 The ~~commission~~ department shall adopt rules, pursuant to
19 19 chapter 17A, as necessary to administer this subsection
19 20 including but not limited to application procedures,
19 21 investigation, approval or disapproval, and payment of claims.

19 22 Sec. 29. Section 35A.8, subsection 5, paragraph b,
19 23 subparagraph (1), Code Supplement 2007, is amended to read as
19 24 follows:

19 25 (1) A person who served on active duty for not less than
19 26 one hundred twenty days in the armed forces of the United
19 27 States, and who served on active duty at any time between July
19 28 1, 1973, and May 31, 1975, both dates inclusive, and who at
19 29 the time of entering into active duty service was a legal
19 30 resident of the state of Iowa, and who had maintained the
19 31 person's residence in this state for a period of at least six
19 32 months immediately before entering into active duty service,
19 33 and was honorably discharged or separated from active duty
19 34 service, or is still in active service in an honorable status,
19 35 or has been retired, or has been furloughed to a reserve, or
20 1 has been placed on inactive status is entitled to receive from
20 2 moneys appropriated for that purpose the sum of seventeen
20 3 dollars and fifty cents for each month that the person was on
20 4 active duty service in the Vietnam service area, within the
20 5 dates specified in this subparagraph, if the veteran earned
20 6 either a Vietnam service medal or an armed forces
20 7 expeditionary medal=Vietnam or can otherwise establish service
20 8 in the Vietnam service area during that period. Compensation
20 9 under this subparagraph shall not exceed a total sum of five
20 10 hundred dollars. Compensation for a fraction of a month shall
20 11 not be considered unless the fraction is sixteen days or more,
20 12 in which case the fraction shall be computed as a full month.

CODE: Changes statutory language regarding the veterans service period for purposes of qualifying for veterans bonuses.

20 13 Sec. 30. NEW SECTION . 68A.401A REPORTING OF
20 14 CONTRIBUTIONS AND EXPENDITURES RELATING TO ISSUE ADVOCACY.
20 15 1. A political organization that is required to file
20 16 reports with the internal revenue service, pursuant to 26

CODE: Requires certain political organizations to file reports with the Ethics and Campaign Disclosure Board if the organization creates or disseminates a communication of issue advocacy in Iowa or expects to receive \$25,000 or more per year.

20 17 U.S.C. 527, shall file a report with the board if that
20 18 organization does both of the following:
20 19 a. Creates or disseminates a communication of issue
20 20 advocacy in this state.
20 21 b. Receives or expects to receive twenty-five thousand
20 22 dollars or more in gross receipts in any taxable year.
20 23 2. A report required under this section shall contain the
20 24 following information:
20 25 a. The amount, date, and purpose of each expenditure made
20 26 to a person if the aggregate amount of expenditures to such
20 27 person during the calendar year equals or exceeds five hundred
20 28 dollars and the name and address of the person, and, in the
20 29 case of an individual, the occupation and name of employer of
20 30 the individual.
20 31 b. The name and address, and, in the case of an
20 32 individual, the occupation and name of employer of such
20 33 individual, of all contributors which contributed an aggregate
20 34 amount of two hundred dollars or more to the organization
20 35 during the calendar year and the amount and date of the
21 1 contribution.
21 2 3. The board shall by rule establish a procedure for the
21 3 filing of reports required by this section. To the extent
21 4 practicable the reporting periods and filing due dates shall
21 5 be the same as set out in 26 U.S.C. 527(j)(2).
21 6 4. The term "issue advocacy" means any print, radio,
21 7 televised, telephonic, or electronic communication in any form
21 8 or content, which is disseminated to the general public or a
21 9 segment of the general public, that refers to a clearly
21 10 identified candidate for the general assembly or statewide
21 11 office.
21 12 5. The penalty set out in section 68A.701 does not apply
21 13 to a violation of this section. The penalties for a violation
21 14 of this section are as set out in section 68B.32D.

21 15 Sec. 31. Section 135B.5, Code 2007, is amended to read as
21 16 follows:
21 17 135B.5 ISSUANCE AND RENEWAL OF LICENSE.

CODE: Increases the hospital license fee from \$10 to \$1,000.

FISCAL IMPACT: There are currently 123 hospitals in Iowa. The

21 18 1. Upon receipt of an application for license and the
 21 19 license fee, the department shall issue a license if the
 21 20 applicant and hospital facilities comply with this chapter and
 21 21 the rules of the department. Each licensee shall receive
 21 22 annual reapproval upon payment of ~~ten~~ one thousand dollars and
 21 23 upon filing of an application form which is available from the
 21 24 department. Licenses shall be either general or restricted in
 21 25 form. Each license shall be issued only for the premises and
 21 26 persons or governmental units named in the application and is
 21 27 not transferable or assignable except with the written
 21 28 approval of the department. Licenses shall be posted in a
 21 29 conspicuous place on the licensed premises as prescribed by
 21 30 rule of the department.
 21 31 2. ~~Provided, however, that the~~ The provisions of this
 21 32 section shall not in any way affect, change, deny or nullify
 21 33 any rights set forth in, or arising from the provisions of
 21 34 this chapter and particularly section 135B.7, arising before
 21 35 or after December 31, 1960.

current revenue from license fees is \$1,230. This change would increase revenue to \$123,000. This is an increase of \$121,770. The fees are deposited in the General Fund.

22 1 Sec. 32. Section 135B.7, unnumbered paragraph 1, Code
 22 2 2007, is amended to read as follows:
 22 3 The department, with the advice and approval ~~of the~~
 22 4 ~~hospital licensing board and approval~~ of the state board of
 22 5 health, shall adopt rules setting out the standards for the
 22 6 different types of hospitals to be licensed under this
 22 7 chapter. The department shall enforce the rules. Rules or
 22 8 standards shall not be adopted or enforced which would have
 22 9 the effect of denying a license to a hospital or other
 22 10 institution required to be licensed, solely by reason of the
 22 11 school or system of practice employed or permitted to be
 22 12 employed by physicians in the hospital, if the school or
 22 13 system of practice is recognized by the laws of this state.

CODE: Eliminates a reference to the Hospital Licensing Board.

22 14 Sec. 33. Section 136.1, Code 2007, is amended to read as
 22 15 follows:
 22 16 136.1 COMPOSITION OF BOARD.

CODE: Adds two members to the State Board of Public Health. The members are to have ability in the field of hospital administration.

22 17 1. The state board of health shall consist of the
22 18 following members: Five members learned in health-related
22 19 disciplines, two members who have direct experience with
22 20 substance abuse treatment or prevention, two members who
22 21 possess a recognized ability in the field of hospital
22 22 administration, and four members representing the general
22 23 public.
22 24 2. The director of public health shall serve as secretary
22 25 of the board.

22 26 Sec. 34. Section 136.2, Code 2007, is amended to read as
22 27 follows:

22 28 136.2 APPOINTMENT.

22 29 1. All members of the state board of health shall be
22 30 appointed by the governor to three-year staggered terms which
22 31 shall expire on June 30.

22 32 2. The governor shall appoint annually successors to the
22 33 ~~three~~ board members whose terms expire that year. A vacancy
22 34 occurring on the board shall be filled by the governor for the
22 35 unexpired term of the vacancy.

CODE: Changes to State Board of Health.

23 1 Sec. 35. Section 175.2, subsection 1, paragraph m, Code
23 2 2007, is amended to read as follows:

23 3 m. (1) "Low or moderate net worth" means a person's
23 4 aggregate net worth calculated as a designated amount
23 5 established pursuant to rules adopted by the authority and
23 6 effective for one year. The designated amount shall be
23 7 established by January 1 of each year by adjusting the
23 8 designated amount effective on the previous December 31. The
23 9 authority shall establish the designated amount in accordance
23 10 with the prices paid by farmers index as compiled by the
23 11 United States department of agriculture.

23 12 (2) "Low or moderate net worth" as applied to the
23 13 following persons means :

23 14 (4) (a) For an individual, an aggregate net worth of the
23 15 individual and the individual's spouse and minor children of

CODE: Defines net worth and makes other statutory changes related to certain agricultural loans under the Iowa Agricultural Development Act.

23 16 less than ~~three hundred thousand dollars~~ the designated
 23 17 amount .
 23 18 ~~(2)~~ (b) For a partnership, an aggregate net worth of all
 23 19 partners, including each partner's net capital in the
 23 20 partnership, and each partner's spouse and minor children of
 23 21 less than ~~six hundred thousand dollars~~ twice the designated
 23 22 amount . However, the aggregate net worth of each partner and
 23 23 that partner's spouse and minor children shall not exceed
 23 24 ~~three hundred thousand dollars~~ the designated amount .
 23 25 ~~(3)~~ (c) For a family farm corporation, an aggregate net
 23 26 worth of all shareholders, including the value of each
 23 27 shareholder's share in the family farm corporation, and each
 23 28 shareholder's spouse and minor children of less than ~~six~~
 23 29 ~~hundred thousand dollars~~ twice the designated amount .
 23 30 However, the aggregate net worth of each shareholder and that
 23 31 shareholder's spouse and minor children shall not exceed ~~three~~
 23 32 ~~hundred thousand dollars~~ the designated amount .
 23 33 ~~(4)~~ (d) For a family farm limited liability company, an
 23 34 aggregate net worth of all members, including each member's
 23 35 ownership interest in the family farm limited liability
 24 1 company, and each member's spouse and minor children of less
 24 2 than ~~six hundred thousand dollars~~ twice the designated amount .
 24 3 However, the aggregate net worth of each member and that
 24 4 member's spouse and minor children shall not exceed ~~three~~
 24 5 ~~hundred thousand dollars~~ the designated amount .

24 6 Sec. 36. NEW SECTION . 279.67 COMPETITIVE LIVING WAGE.
 24 7 It is the goal of this state that every employee of a
 24 8 public school corporation be provided with a competitive
 24 9 living wage.

CODE: States intent of the State to provide public school employees with a competitive living wage.

24 10 Sec. 37. Section 321J.13, subsection 6, Code 2007, is
 24 11 amended to read as follows:
 24 12 6. a. The department shall grant a request for a hearing
 24 13 to rescind the revocation or disqualification if the person
 24 14 whose motor vehicle license , commercial drivers license, or

CODE: Permits a person that holds a commercial driver's license and has been disqualified from operating a commercial motor vehicle to seek a hearing to rescind the disqualification in the same manner and under the same circumstances as those with regular drivers licenses that have been revoked.

24 15 operating privilege has been or is being revoked or
 24 16 disqualified under section 321.208, 321J.9 , or 321J.12 submits
 24 17 a petition containing information relating to the discovery of
 24 18 new evidence that provides grounds for rescision of the
 24 19 revocation or disqualification .
 24 20 b. The person shall prevail at the hearing if, in the
 24 21 criminal action on the charge of violation of section 321J.2
 24 22 or 321J.2A resulting from the same circumstances that resulted
 24 23 in the administrative revocation or disqualification being
 24 24 challenged, the court held one of the following:
 24 25 (1) That the peace officer did not have reasonable grounds
 24 26 to believe that a violation of section 321J.2 or 321J.2A had
 24 27 occurred to support a request for or to administer a chemical
 24 28 test.
 24 29 (2) That the chemical test was otherwise inadmissible or
 24 30 invalid.
 24 31 c. Such a holding by the court in the criminal action is
 24 32 binding on the department, and the department shall rescind
 24 33 the revocation or disqualification .

24 34 Sec. 38. Section 331.304, subsection 10, Code Supplement
 24 35 2007, is amended to read as follows:
 25 1 10. A county shall not adopt or enforce any ordinance
 25 2 imposing any registration or licensing system or registration
 25 3 or license fees for or relating to owner-occupied manufactured
 25 4 or mobile homes including the lots , ~~or~~ lands , or manufactured
 25 5 home community or mobile home park upon or in which they are
 25 6 located. A county shall not adopt or enforce any ordinance
 25 7 imposing any registration or licensing system, or registration
 25 8 or license fees, or safety or sanitary standards for rental
 25 9 manufactured or mobile homes unless similar registration or
 25 10 licensing system, or registration or license fees, or safety
 25 11 or sanitary standards are required for other rental properties
 25 12 intended for human habitation. This subsection does not
 25 13 preclude the investigation and abatement of a nuisance or the
 25 14 enforcement of a tiedown system, or the enforcement of any
 25 15 regulations of the state or local board of health if those

CODE: Prohibits a county from adopting or enforcing any ordinance imposing a registration or licensing system or fees relating to owner-occupied manufactured or mobile homes, including those located in a manufactured home community or mobile home park.

25 16 regulations apply to other rental properties or to
 25 17 owner=occupied housing intended for human habitation.

25 18 Sec. 39. Section 364.3, subsection 5, Code 2007, is
 25 19 amended to read as follows:
 25 20 5. A city shall not adopt or enforce any ordinance
 25 21 imposing any registration or licensing system or registration
 25 22 or license fees for or relating to owner=occupied manufactured
 25 23 or mobile homes including the lots ~~, or lands ,~~ or manufactured
 25 24 home community or mobile home park upon or in which they are
 25 25 located. A city shall not adopt or enforce any ordinance
 25 26 imposing any registration or licensing system, or registration
 25 27 or license fees, or safety or sanitary standards for rental
 25 28 manufactured or mobile homes unless a similar registration or
 25 29 licensing system, or registration or license fees, or safety
 25 30 or sanitary standards are required for other rental properties
 25 31 intended for human habitation. This subsection does not
 25 32 preclude the investigation and abatement of a nuisance or the
 25 33 enforcement of a tiedown system, or the enforcement of any
 25 34 regulations of the state or local board of health if those
 25 35 regulations apply to other rental properties or to
 26 1 owner=occupied housing intended for human habitation.

CODE: Provides that a city is not to adopt or enforce any ordinance imposing a registration or licensing system or fees relating to owner-occupied manufactured or mobile homes, including those located in a manufactured home community or mobile home park.

26 2 Sec. 40. Section 423.6, subsection 14, Code 2007, is
 26 3 amended to read as follows:
 26 4 14. Mobile homes to the extent of the portion of the
 26 5 purchase price of the mobile home which is not attributable to
 26 6 the cost of the tangible personal property used in the
 26 7 processing of the mobile home, and manufactured housing to the
 26 8 extent of the purchase price or the installed purchase price
 26 9 of the manufactured housing which is not attributable to the
 26 10 cost of the tangible personal property used in the processing
 26 11 of the manufactured housing. For purposes of this exemption,
 26 12 the portion of the purchase price which is not attributable to
 26 13 the cost of the tangible personal property used in the
 26 14 processing of the mobile home is ~~forty~~ eighty percent and the

CODE: Provides that the portion of the purchase price of a mobile home or of the installed purchase price of a manufactured home, that is not attributable to the cost of the tangible personal property used in the processing of the home, is increased from 40.0% to 80.0%. This change results in the increase in the exemption from the use tax of the purchase price or installed purchase price from 40.0% to 80.0%.

DETAIL: Under current law, the use tax on mobile homes and manufactured homes is 5.0% of 60.0% (or 3.0%) of the portion of the purchase price of a mobile home or of the installed purchase price of a manufactured home that is not attributable to the cost of the tangible personal property used in the processing of the home. The revenues generated are deposited into the Road Use Tax Fund.

26 15 portion of the purchase price or installed purchase price
 26 16 which is not attributable to the cost of the tangible personal
 26 17 property used in the processing of the manufactured housing is
 26 18 ~~forty~~ eighty percent.

Under the Bill, the use tax on mobile homes and manufactured homes will be 5.0% of 20.0% (or 1.0%) of the portion of the purchase price, etc. Senate File 2420 (TIME-21 Transportation Funding Act), enacted during the 2008 Legislative Session, established a Statutory Allocations Fund (SAF). The Act provides that the revenues collected from the use tax on mobile homes and manufactured homes be deposited into the SAF.

FISCAL IMPACT: The estimated fiscal impact is an annual decrease of \$467,000 to the Statutory Allocations Fund (SAF).

26 19 Sec. 41. Section 423F.2, subsection 1, as enacted by 2008
 26 20 Iowa Acts, House File 2663, section 28, if enacted, is amended
 26 21 by adding the following new paragraph:
 26 22 NEW PARAGRAPH . bb. In the case of school districts
 26 23 located in whole or in part in a county that had not
 26 24 previously imposed the local sales and services tax for school
 26 25 infrastructure purposes prior to January 1, 2007, and which
 26 26 voted on and approved such tax after January 1, 2007, and
 26 27 before July 1, 2007, if the percent change in the amount of
 26 28 state sales tax revenues collected in that county to be
 26 29 deposited in the general fund of the state for the fiscal year
 26 30 compared to the amount of such revenues collected in that
 26 31 county for the previous fiscal year as estimated by the
 26 32 department of revenue is greater than the revenue factor as
 26 33 determined pursuant to section 423E.4, subsection 8, paragraph
 26 34 "a", the director of revenue shall base the amount of moneys
 26 35 to be distributed to such school districts on the greater
 27 1 percentage increase. This paragraph is repealed June 30,
 27 2 2012.

CODE: Specifies that if the percentage growth in State sales tax collected in an eligible county for a fiscal year is greater than the revenue factor, the Department of Revenue will use the sales tax percentage growth to calculate the sales tax capacity per pupil. Eligible counties include any county that approved the School Infrastructure Local Option (SILO) sales tax for the first time after January 1, 2007. This provision is repealed on June 30, 2012.

DETAIL: Pending enactment of HF 2663 (Statewide Sales and Use Tax Increase for School Infrastructure Bill), if sales tax growth in Johnson or Linn county is greater than the revenue factor as determined by the Revenue Estimating Conference (REC) sales and use tax growth projection, the Department of Revenue will use the sales tax growth rate to determine the sales tax capacity per pupil for Linn or Johnson county.

27 3 Sec. 42. Section 441.37A, subsection 1, unnumbered
 27 4 paragraph 1, Code 2007, is amended to read as follows:
 27 5 For the assessment year beginning January 1, 2007, and all
 27 6 subsequent assessment years, appeals may be taken from the
 27 7 action of the board of review with reference to protests of

CODE: Technical clarification related to the Property Assessment Appeal Board.

27 8 assessment, valuation, or application of an equalization order
27 9 to the property assessment appeal board created in section
27 10 421.1A. However, a property owner or aggrieved taxpayer or an
27 11 appellant described in section 441.42 may bypass the property
27 12 assessment appeal board and appeal the decision of the local
27 13 board of review to the district court pursuant to section
27 14 441.38. For an appeal to the property assessment appeal board
27 15 to be valid, written notice must be filed by the party
27 16 appealing the decision with the secretary of the property
27 17 assessment appeal board within twenty days after the date the
27 18 board of review's letter of disposition of the appeal is
27 19 postmarked to the party making the protest. The written
27 20 notice of appeal shall include a petition setting forth the
27 21 basis of the appeal and the relief sought. No new grounds in
27 22 addition to those set out in the protest to the local board of
27 23 review as provided in section 441.37 can be pleaded, but
27 24 additional evidence to sustain those grounds may be
27 25 introduced. The assessor shall have the same right to appeal
27 26 to the assessment appeal board as an individual taxpayer,
27 27 public body, or other public officer as provided in section
27 28 441.42. An appeal to the board is a contested case under
27 29 chapter 17A.

27 30 Sec. 43. Section 441.37A, subsection 2, unnumbered
27 31 paragraph 2, Code 2007, is amended to read as follows:
27 32 An appeal may be considered by less than a majority of the
27 33 members of the board, and the chairperson of the board may
27 34 assign members to consider appeals. If a hearing is
27 35 requested, it shall be open to the public and shall be
28 1 conducted in accordance with the rules of practice and
28 2 procedure adopted by the board. However, any deliberation of
28 3 a board member considering the appeal in reaching a decision
28 4 on any appeal shall be confidential. A meeting of the board
28 5 to rule on procedural motions in a pending appeal or to
28 6 deliberate on the decision to be reached in an appeal is
28 7 exempt from the provisions of chapter 21. The property
28 8 assessment appeal board or any member of the board may require

CODE: Technical clarification. Exempts meetings of the Property Assessment Appeal Board to determine rulings on procedural motions and deliberate appeal decisions from open meetings requirements.

28 9 the production of any books, records, papers, or documents as
 28 10 evidence in any matter pending before the board that may be
 28 11 material, relevant, or necessary for the making of a just
 28 12 decision. Any books, records, papers, or documents produced
 28 13 as evidence shall become part of the record of the appeal.
 28 14 Any testimony given relating to the appeal shall be
 28 15 transcribed and made a part of the record of the appeal.

28 16 Sec. 44. Section 441.38, subsection 1, Code 2007, is
 28 17 amended to read as follows:
 28 18 1. Appeals may be taken from the action of the local board
 28 19 of review with reference to protests of assessment, to the
 28 20 district court of the county in which the board holds its
 28 21 sessions within twenty days after its adjournment or May 31,
 28 22 whichever date is later. Appeals may be taken from the action
 28 23 of the property assessment appeal board to the district court
 28 24 of the county where the property which is the subject of the
 28 25 appeal is located or to the district court of Polk county
 28 26 within twenty days after the letter of disposition of the
 28 27 appeal by the property assessment appeal board is postmarked
 28 28 to the appellant. No new grounds in addition to those set out
 28 29 in the protest to the local board of review as provided in
 28 30 section 441.37, or in addition to those set out in the appeal
 28 31 to the property assessment appeal board, if applicable, can be
 28 32 pleaded ~~but additional~~ Additional evidence to sustain those
 28 33 grounds may be introduced in an appeal from the local board of
 28 34 review to the district court . However, no new evidence to
 28 35 sustain those grounds may be introduced in an appeal from the
 29 1 property assessment appeal board to the district court. The
 29 2 assessor shall have the same right to appeal and in the same
 29 3 manner as an individual taxpayer, public body, or other public
 29 4 officer as provided in section 441.42. Appeals shall be taken
 29 5 by filing a written notice of appeal with the clerk of
 29 6 district court. Filing of the written notice of appeal shall
 29 7 preserve all rights of appeal of the appellant.

CODE: Permits appeals of decisions by the Property Assessment
 and Appeal Board to the district court in Polk County. Specifies when
 new evidence may be introduced.

29 8 Sec. 45. NEW SECTION . 441.38B APPEAL TO DISTRICT COURT

CODE: Permits those affected adversely to appeal the decision of the

29 9 FROM PROPERTY ASSESSMENT APPEAL BOARD.
 29 10 A person or party who is aggrieved or adversely affected by
 29 11 a decision of the property assessment appeal board may seek
 29 12 judicial review of the decision as provided in chapter 17A and
 29 13 section 441.38.

Property Assessment Appeal Board to District Court.

29 14 Sec. 46. Section 441.43, Code 2007, is amended to read as
 29 15 follows:
 29 16 441.43 POWER OF COURT.
 29 17 Upon trial of any appeal from the action of the board of
 29 18 ~~review or of the property assessment appeal board~~ fixing the
 29 19 amount of assessment upon any property concerning which
 29 20 complaint is made, the court may increase, decrease, or affirm
 29 21 the amount of the assessment appealed from.

CODE: Technical correction related to Property Assessment Appeal Board.

29 22 Sec. 47. NEW SECTION . 455C.17 GRANTS FOR INDEPENDENT
 29 23 REDEMPTION CENTERS.

29 24 1. An independent redemption center grant program shall be
 29 25 established by the department to award grants for improvements
 29 26 to independent redemption centers. An "independent redemption
 29 27 center" is a redemption center that is also a nonprofit or a
 29 28 for-profit facility that has existed prior to July 1, 2008,
 29 29 and that is not affiliated with or in any way a subsidiary of
 29 30 a dealer, a distributor, or a manufacturer.

29 31 2. a. An independent redemption center grant fund is
 29 32 established in the state treasury under the authority of the
 29 33 department. The fund shall consist of moneys appropriated to
 29 34 the fund or appropriated to the department for purposes of the
 29 35 grant program. Moneys in the fund are appropriated to the
 30 1 department to be used for the grant program.

30 2 b. Notwithstanding section 8.33, moneys in the fund at the
 30 3 close of any fiscal year shall not revert to any other fund
 30 4 but shall remain in the fund for the subsequent fiscal year to
 30 5 be used for purposes of the fund.

30 6 3. a. Moneys in the grant fund shall be used by the
 30 7 department to provide grants to independent redemption centers

CODE: Requires the Department of Natural Resources to establish an Independent Redemption Center Grant Program. Establishes a Redemption Center Grant Fund and permits the Department to award grants of up to \$15,000 to redemption centers.

30 8 for purposes of making improvements to such centers. The
30 9 department shall not award grants in a fiscal year in an
30 10 aggregate of more than one million dollars. A grant shall not
30 11 exceed fifteen thousand dollars for any independent redemption
30 12 center.

30 13 b. The department shall not pay administrative costs
30 14 relating to the management of the grant program in excess of
30 15 three and one-half percent of the moneys in the fund in a
30 16 fiscal year.

30 17 Sec. 48. Section 535.8, subsection 1, Code 2007, is
30 18 amended by striking the subsection and inserting in lieu
30 19 thereof the following:

30 20 1. DEFINITIONS. For purposes of this section, unless the
30 21 context otherwise requires:

30 22 a. "Lender" means a person who makes or originates a loan;
30 23 a person who is identified as a lender on the loan documents;
30 24 a person who arranges, negotiates, or brokers a loan; and a
30 25 person who provides any goods or services as an incident to or
30 26 as a condition required for the making or closing of the loan.

30 27 "Lender" does not include a licensed attorney admitted to
30 28 practice in this state acting solely as an incident to the
30 29 practice of law.

30 30 b. "Loan" means a loan of money which is wholly or in part
30 31 to be used for the purpose of purchasing real property which
30 32 is a single-family or two-family dwelling occupied or to be
30 33 occupied by the borrower. A loan includes the refinancing of
30 34 a contract of sale, and the refinancing of a prior loan,
30 35 whether or not the borrower also was the borrower under the
31 1 prior loan, and the assumption of a prior loan.

CODE: Provides definitions for lender and loan as it relates to designated real estate loans.

31 2 Sec. 49. Section 535.8, subsection 2, paragraphs a and b,
31 3 Code 2007, are amended to read as follows:

31 4 a. A ~~lender may collect~~ borrower may be charged by a
31 5 lender, in connection with a loan made pursuant to a written
31 6 agreement executed by the borrower on or after July 1, 1983,

CODE: Makes changes related to fees and other charges incurred by a borrower in connection with designated real estate loans.

31 7 or in connection with a loan made pursuant to a written
31 8 commitment by the lender mailed or delivered to the borrower
31 9 on or after that date, a loan origination or processing fee , a
31 10 broker fee, or both, which ~~does~~ together do not exceed two
31 11 percent of an amount which is equal to the loan principal;
31 12 except that to the extent of an assumption by a new borrower
31 13 of the obligation to make payments under a prior loan, or to
31 14 the extent that the loan principal is used to refinance a
31 15 prior loan between the same borrower and the same lender, the
31 16 ~~lender may collect~~ borrower may be charged by a lender a loan
31 17 origination or processing fee , a broker fee, or both, which
31 18 ~~does~~ together do not exceed an amount which is a reasonable
31 19 estimate of the expenses of processing the loan assumption or
31 20 refinancing but which does not exceed one percent of the
31 21 unpaid balance of the loan that is assumed or refinanced. In
31 22 addition, a ~~lender may collect from a borrower, a seller of~~
31 23 ~~property, another lender, or any other person, or from any~~
31 24 ~~combination of these persons~~ borrower may be charged by a
31 25 lender , in contemplation of or in connection with a loan, a
31 26 commitment fee, closing fee, or both, that is agreed to in
31 27 writing by the lender and the ~~persons from whom the charges~~
31 28 ~~are to be collected~~ borrower . A loan fee ~~collected~~ paid by a
31 29 borrower to a lender under this paragraph is compensation to
31 30 the lender solely for the use of money, notwithstanding any
31 31 provision of the agreement to the contrary. However, a loan
31 32 fee collected under this paragraph shall be disregarded for
31 33 purposes of determining the maximum charge permitted by
31 34 section 535.2 or 535.9, subsection 2. ~~The collection~~ A lender
31 35 is prohibited from charging a borrower in connection with a
32 1 ~~loan of~~ a loan origination or processing fee, broker fee,
32 2 closing fee, commitment fee, or similar charge ~~is prohibited~~
32 3 other than expressly authorized by this paragraph or a payment
32 4 reduction fee authorized by subsection 3.
32 5 b. A ~~lender may collect~~ borrower may be charged by a
32 6 lender in connection with a loan any of the following costs
32 7 which are incurred by the lender in connection with the loan
32 8 and which are disclosed to the borrower:
32 9 (1) Credit reports.

32 10 (2) Appraisal fees paid to a third party, or when the
32 11 appraisal is performed by the lender, a fee which is a
32 12 reasonable estimate of the expense incurred by the lender in
32 13 performing the appraisal.
32 14 (3) Attorney's opinions.
32 15 (4) Abstracting fees paid to a third party, or when the
32 16 abstracting is performed by the lender, a fee which is a
32 17 reasonable estimate of the expense incurred by the lender in
32 18 performing the abstracting.
32 19 (5) County recorder's fees.
32 20 (6) Inspection fees.
32 21 (7) Mortgage guarantee insurance charge.
32 22 (8) Surveying of property.
32 23 (9) Termite inspection.
32 24 (10) The cost of a title guaranty issued by the Iowa
32 25 finance authority pursuant to chapter 16.
32 26 (11) A bona fide and reasonable settlement or closing fee
32 27 which is paid to a third party to settle or close the loan.
32 28 The lender shall not charge the borrower for the cost of
32 29 revenue stamps or real estate commissions which are paid by
32 30 the seller.
32 31 ~~The collection of~~ A lender shall not charge the borrower
32 32 any costs other than as expressly permitted by this paragraph
32 33 "b" is prohibited . However, additional costs incurred in
32 34 connection with a loan under this paragraph "b", if bona fide
32 35 and reasonable, may be collected by a state=chartered
33 1 financial institution licensed under chapter 524, 533, or 534,
33 2 to the extent permitted under applicable federal law as
33 3 determined by the office of the comptroller of the currency of
33 4 the United States department of treasury, the national credit
33 5 union administration, or the office of thrift supervision of
33 6 the United States department of treasury. Such costs shall
33 7 apply only to the same type of state=chartered entity as the
33 8 federally chartered entity affected and shall apply to and may
33 9 be collected by an insurer organized under chapter 508 or 515,
33 10 or otherwise authorized to conduct the business of insurance
33 11 in this state.
33 12 Nothing in this section shall be construed to change the

33 13 prohibition against the sale of title insurance or sale of
33 14 insurance against loss or damage by reason of defective title
33 15 or encumbrances as provided in section 515.48, subsection 10.

33 16 Sec. 50. NEW SECTION . 537.3312 GIFT CERTIFICATES == FEES
33 17 EXPIRATION DATES == VIOLATIONS.

33 18 1. A gift certificate shall be redeemable for its full
33 19 value. A seller, issuer, or holder of a gift certificate
33 20 shall not do any of the following:
33 21 a. Assess, charge, or deduct a fee or other charge from or
33 22 with respect to a gift certificate.
33 23 b. Sell or issue a gift certificate that includes, bears,
33 24 or is otherwise subject to an expiration date.
33 25 c. Impose any other term or condition on a gift
33 26 certificate that would limit the ability of the owner to
33 27 redeem the gift certificate for its full value.
33 28 2. A violation of this section is an unfair practice under
33 29 section 714.16, and is additionally subject to the penalty
33 30 provisions of section 537.5201.

CODE: Prohibits the issuer of a gift certificate from placing an expiration date on a gift certificate and from assessing a charge or deducting a fee from the face value of a gift certificate. Also provides that violations of this provision are subject to consumer fraud penalties and provides for certain remedies.

33 31 Sec. 51. Section 556.1, Code Supplement 2007, is amended
33 32 by adding the following new subsection:

33 33 NEW SUBSECTION . 4A. "Gift certificate" means a writing,
33 34 instrument, record, or other tangible medium of expression
33 35 generally purchased by a buyer for use by a person other than
34 1 the buyer, or for use by the buyer at a later date, for the
34 2 purchase of goods, property, services, or other consideration
34 3 sold or provided by the seller or issuer and includes but is
34 4 not limited to any of the following:
34 5 a. An electronic card with a stored or banked dollar
34 6 value.
34 7 b. A merchandise credit.
34 8 c. A certificate or card exchangeable for the full face
34 9 value of a future purchase or delivery of goods, property,
34 10 services, or any other consideration.
34 11 d. Any other medium that evidences a grant of

CODE: Provides a definition of a gift certificate.

34 12 consideration in exchange for the right to redeem the
34 13 certificate for goods, property, services, credit, or money of
34 14 at least an equal value as that of the certificate.

34 15 Sec. 52. Section 556.9, subsection 2, Code 2007, is
34 16 amended to read as follows:
34 17 2. An issuer of a gift certificate shall not deduct from
34 18 the face value of the gift certificate any charge imposed due
34 19 to the failure of the owner of the gift certificate to present
34 20 the gift certificate ~~in a timely manner, unless a valid and~~
34 21 ~~enforceable written contract exists between the issuer and the~~
34 22 ~~owner of the gift certificate pursuant to which the issuer~~
34 23 ~~regularly imposes such charges and does not regularly reverse~~
34 24 ~~or otherwise cancel them~~ . For purposes of this subsection,
34 25 "gift certificate" means a merchandise certificate or
34 26 electronic gift card conspicuously designated as a gift
34 27 certificate or electronic gift card, and generally purchased
34 28 by a buyer for use by a person other than the buyer.

CODE: Changes an unclaimed property provision to prohibit an issuer of a gift certificate to deduct fees or assess costs against the face value of a gift certificate.

FISCAL IMPACT: Changes in related to gift certificates in this Bill will result in an estimated net increase of \$3,000,000 in unclaimed property revenue collections to the General Fund for FY 2009. The issuer of a gift certificate will be required to remit unused gift certificate proceeds to the State under the Unclaimed Property statute.

34 29 Sec. 53. Section 622.10, subsection 3, paragraphs a, d,
34 30 and e, Code Supplement 2007, are amended to read as follows:
34 31 a. In a civil action in which the condition of the
34 32 plaintiff in whose favor the prohibition is made is an element
34 33 or factor of the claim or defense of the adverse party or of
34 34 any party claiming through or under the adverse party, the
34 35 adverse party shall make a written request for records
35 1 relating to the condition alleged upon the plaintiff's ~~counsel~~
35 2 attorney for a legally sufficient patient's waiver under
35 3 federal and state law. Upon receipt of a written request, the
35 4 plaintiff shall execute ~~the~~ a legally sufficient patient's
35 5 waiver and release it to the adverse party making the request
35 6 within sixty days of receipt of the written request. The
35 7 patient's waiver may require a physician or surgeon, physician
35 8 assistant, advanced registered nurse practitioner, or mental
35 9 health professional to do all of the following:
35 10 (1) Provide a complete copy of the patient's records

CODE: Changes statutory language relating to communications made in professional confidence concerning health care and health care records, including patient access to the patient's medical records.

35 11 including, but not limited to, any reports or diagnostic
35 12 imaging relating to the condition alleged.
35 13 (2) Consult with the attorney for the adverse party prior
35 14 to providing testimony regarding the plaintiff's medical
35 15 history and the condition alleged and opinions regarding
35 16 health etiology and prognosis for the condition alleged
35 17 subject to the limitations in ~~paragraph~~ paragraphs "c" and
35 18 "e" .
35 19 d. Any physician or surgeon, physician assistant, advanced
35 20 registered nurse practitioner, or mental health professional
35 21 who provides records or consults with the ~~counsel~~ attorney for
35 22 ~~the adverse~~ any party shall be entitled to charge a reasonable
35 23 fee for production of the records, diagnostic imaging, and
35 24 consultation. Any party seeking consultation shall be
35 25 responsible for payment of all charges. The ~~fee~~ fees for
35 26 copies of any records shall ~~be based upon actual cost of~~
35 27 ~~production~~ be as specified in subsection 4A .
35 28 e. Defendant's counsel shall provide a written notice to
35 29 plaintiff's ~~counsel~~ attorney in a manner consistent with the
35 30 Iowa rules of civil procedure providing for notice of
35 31 deposition at least ten days prior to any meeting with
35 32 plaintiff's physician or surgeon, physician assistant,
35 33 advanced registered nurse practitioner, or mental health
35 34 professional. Plaintiff's ~~counsel~~ attorney has the right to
35 35 be present at all such meetings, or participate in telephonic
36 1 communication with the physician or surgeon, physician
36 2 assistant, advanced registered nurse practitioner, or mental
36 3 health professional and ~~counsel~~ attorney for the defendant.
36 4 Prior to scheduling any meeting or engaging in any
36 5 communication with the physician or surgeon, physician
36 6 assistant, advanced registered nurse practitioner, or mental
36 7 health professional, attorney for the defendant shall confer
36 8 with plaintiff's attorney to determine a mutually convenient
36 9 date and time for such meeting or telephonic communication.
36 10 Plaintiff's ~~counsel~~ attorney may seek a protective order
36 11 structuring all communication by making application to the
36 12 court at any time.

36 13 Sec. 54. Section 622.10, subsection 4, Code Supplement
36 14 2007, is amended to read as follows:
36 15 4. If an adverse party desires the oral deposition, either
36 16 discovery or evidentiary, of a physician or surgeon, physician
36 17 assistant, advanced registered nurse practitioner, or mental
36 18 health professional to which the prohibition would otherwise
36 19 apply or the stenographer or confidential clerk of a physician
36 20 or surgeon, physician assistant, advanced registered nurse
36 21 practitioner, or mental health professional or desires to call
36 22 a physician or surgeon, physician assistant, advanced
36 23 registered nurse practitioner, or mental health professional
36 24 to which the prohibition would otherwise apply or the
36 25 stenographer or confidential clerk of a physician or surgeon,
36 26 physician assistant, advanced registered nurse practitioner,
36 27 or mental health professional as a witness at the trial of the
36 28 action, the adverse party shall file an application with the
36 29 court for permission to do so. The court upon hearing, which
36 30 shall not be ex parte, shall grant permission unless the court
36 31 finds that the evidence sought does not relate to the
36 32 condition alleged and . At the request of any party or at the
36 33 request of the deponent, the court shall fix a reasonable fee
36 34 to be paid to ~~the~~ a physician or surgeon, physician assistant,
36 35 advanced registered nurse practitioner, or mental health
37 1 professional by the party taking the deposition or calling the
37 2 witness.

CODE: Changes statutory language relating to procedures for fees charged by certain medical providers for the production of certain health care records and consulting costs.

37 3 Sec. 55. Section 622.10, Code Supplement 2007, is amended
37 4 by adding the following new subsection:
37 5 NEW SUBSECTION . 4A. At any time, upon a written request
37 6 from a patient, a patient's legal representative or attorney,
37 7 or an adverse party pursuant to subsection 3, any provider
37 8 shall provide copies of the requested records or images to the
37 9 requester within thirty days of receipt of the written
37 10 request. The written request shall be accompanied by a
37 11 legally sufficient patient's waiver unless the request is made
37 12 by the patient or the patient's legal representative or
37 13 attorney. The provider shall also produce copies of patient

CODE: Adds statutory language relating to communications between certain medical providers and attorneys in a civil action when the condition of the plaintiff is at issue and relates to procedures for fees charged by certain medical providers for the production of certain health care records and consulting costs.

37 14 records or images contained in the provider's files generated
37 15 by another provider.

37 16 a. The fee charged for the cost of producing the requested
37 17 records or images shall be based upon the actual cost of
37 18 production. If the written request and accompanying patient's
37 19 waiver, if required, authorizes the release of all of the
37 20 patient's records for the requested time period, including
37 21 records relating to the patient's mental health, substance
37 22 abuse, and acquired immune deficiency syndrome-related
37 23 conditions, the amount charged shall not exceed the rates
37 24 established by the workers' compensation commissioner for
37 25 copies of records in workers' compensation cases. If
37 26 requested, the provider shall include an affidavit certifying
37 27 that the records or images produced are true and accurate
37 28 copies of the originals for an additional fee not to exceed
37 29 ten dollars.

37 30 b. A patient or a patient's legal representative or a
37 31 patient's attorney is entitled to one copy free of charge of
37 32 the patient's complete billing statement, subject only to a
37 33 charge for the actual costs of postage or delivery charges
37 34 incurred in providing the statement. If requested, the
37 35 provider or custodian of the record shall include an affidavit
38 1 certifying the billing statements produced to be true and
38 2 accurate copies of the originals for an additional fee not to
38 3 exceed ten dollars.

38 4 c. Fees charged pursuant to this subsection are not
38 5 subject to a sales or use tax. A provider providing the
38 6 records or images may require payment in advance if an
38 7 itemized statement demanding such is provided to the
38 8 requesting party within fifteen days of the request. Upon a
38 9 timely request for payment in advance, the time for providing
38 10 the records or images shall be extended until the greater of
38 11 thirty days from the date of the original request or ten days
38 12 from the receipt of payment.

38 13 d. If a provider does not provide to the requester all
38 14 records or images encompassed by the request or does not allow
38 15 a patient access to all of the patient's medical records
38 16 encompassed by the patient's request to examine the patient's

38 17 records, the provider shall give written notice to the
38 18 requester or the patient that providing the requested records
38 19 or images would be a violation of the federal Health Insurance
38 20 Portability and Accountability Act of 1996, Pub. L. No.
38 21 104=191.

38 22 e. As used in this subsection:

38 23 (1) "Records" and "images" include electronic media and
38 24 data containing a patient's health or billing information and
38 25 "copies" includes patient records or images provided in
38 26 electronic form, regardless of the form of the originals. If
38 27 consented to by the requesting party, records and images
38 28 produced pursuant to this subsection may be produced on
38 29 electronic media.

38 30 (2) "Provider" means any physician or surgeon, physician
38 31 assistant, advanced registered nurse practitioner, mental
38 32 health professional, hospital, nursing home, or other person,
38 33 entity, facility, or organization that furnishes, bills, or is
38 34 paid for health care in the normal course of business.

38 35 Sec. 56. NEW SECTION . 692A.3B PRESENCE ON THE REAL
39 1 PROPERTY COMPRISING A CHILD CARE FACILITY OR CHILD CARE HOME
39 2 == RESTRICTION.

39 3 1. As used in this section, "child care provider" includes
39 4 a "child care center", "child care home", "child development
39 5 home", and "preschool" as those terms are defined in section
39 6 237A.1, and a "child care program" as defined in section
39 7 279.49 and authorized in section 280.3A.

39 8 2. A person required to register under this chapter who
39 9 has been convicted of a criminal offense against a minor, or
39 10 an offense involving a minor that is an aggravated offense,
39 11 sexually violent offense, or other relevant offense, shall not
39 12 be knowingly present on the real property comprising a child
39 13 care provider, except under one of the following
39 14 circumstances:

39 15 a. The person is transporting a minor who is a child of
39 16 the person to or from the child care provider.

39 17 b. The person is responding to a health or behavioral

CODE: Creates child safety zones to prohibit sex offenders from
being present at daycares and preschools, except for certain
circumstances.

39 18 emergency regarding a minor who is the child of the person.
 39 19 c. The person has been summoned to discuss the
 39 20 developmental activity or social progress of a minor who is a
 39 21 child of the person.
 39 22 d. The person is voting in the building in which the child
 39 23 care provider is located during the hours designated to vote.
 39 24 3. The child care provider's owner or administrator shall
 39 25 provide notice to the parents, guardians, or custodians of the
 39 26 children receiving child care from the child care provider
 39 27 about the presence of a person on the real property comprising
 39 28 the child care provider, as authorized in accordance with
 39 29 subsection 2.
 39 30 4. A person required to register under this chapter who
 39 31 commits a violation of this section commits an aggravated
 39 32 misdemeanor.

39 33 Sec. 57. REAL ESTATE EDUCATION PROGRAM. There is
 39 34 appropriated from the general fund of the state to the state
 39 35 board of regents for the fiscal year beginning July 1, 2008,
 40 1 and ending June 30, 2009, the following amount, or so much
 40 2 thereof as is necessary, to be used for the purposes
 40 3 designated:
 40 4 For allocation to the university of northern iowa for the
 40 5 real estate education program:
 40 6 \$ 160,000

General Fund appropriation to the Board of Regents for the Real Estate Education Program at the University of Northern Iowa (UNI).

40 7 Notwithstanding section 8.33, moneys appropriated in this
 40 8 section that remain unencumbered or unobligated at the close
 40 9 of the fiscal year shall not revert but shall remain available
 40 10 for expenditure for the purposes designated until the close of
 40 11 the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for the Real Estate Education Program at UNI.

40 12 Sec. 58. Sections 135B.10 and 135B.11, Code 2007, are
 40 13 repealed.

CODE: Repeals membership and compensation for the Hospital Licensing Board.

40 14 Sec. 59. APPLICABILITY. The sections of this division of

Specifies that the sections amending closed meeting sessions of

40 15 this Act amending section 21.5, subsection 1, and section 40 16 22.7, do not apply to any litigation before any court of this 40 17 state filed prior to July 1, 2008.	public hospitals and other governmental bodies do not apply to a litigation filed prior to July 1, 2008.
40 18 Sec. 60. INCOME TAXATION == ACTIVE DUTY MILITARY PAY. 40 19 Notwithstanding section 422.7, subsection 40, the net income 40 20 of a member of the national guard who served from August 1, 40 21 2004, to January 31, 2006, on full-time military duty as a 40 22 mobilization augmenter in a rear detachment support assignment 40 23 for a national guard unit deployed pursuant to orders related 40 24 to Operation Iraqi Freedom, shall be calculated for those tax 40 25 years as provided in section 422.7 by subtracting, to the 40 26 extent included, the amount of full-time national guard duty 40 27 pay received.	CODE: Exempts active duty military pay as specified from Iowa income tax. FISCAL IMPACT: The fiscal impact is expected to be minimal.
40 28 Sec. 61. LOW OR MODERATE NET WORTH == DESIGNATED AMOUNT 40 29 ESTABLISHED. For the period beginning July 1, 2008, and 40 30 ending December 31, 2008, the designated amount used to 40 31 determine a person's aggregate net worth as provided in 40 32 section 175.2, subsection 1, as amended in this division of 40 33 this Act, is five hundred thousand dollars.	Specifies that for purposes of certain agricultural loans, the upper limit for low or moderate net worth for the period of July 1, 2008, through December 31, 2008, will be set at \$500,000.
40 34 Sec. 62. CHARTER AGENCY GRANT FUND. Notwithstanding 40 35 sections 7J.2 and 8.33 or any other provision of law, moneys 41 1 appropriated to the department of management from the charter 41 2 agency grant fund that remain unencumbered or unobligated at 41 3 the close of the fiscal year beginning July 1, 2007, shall not 41 4 revert but shall remain available for expenditure for the 41 5 purposes designated in section 7J.2, Code 2007, until the 41 6 close of the succeeding fiscal year. At the close of the 41 7 succeeding fiscal year, such moneys that remain unencumbered 41 8 or unobligated shall revert to the general fund of the state.	CODE: Requires nonreversion of FY 2008 funds in the Charter Agency Grant Fund. Funds will revert at the end of FY 2009. DETAIL: As of April 2008, the Charter Agency Grant Fund had a balance of \$138,000.
41 9 Sec. 63. EFFECTIVE DATE. The section of this division of 41 10 this Act addressing sections 7J.2 and 8.33 and the charter	Changes to the Charter Agency Grant Fund are effective on enactment.

41 11 agency grant fund, being deemed of immediate importance, takes
41 12 effect upon enactment.

41 13 Sec. 64. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. The
41 14 section of this division of this Act relating to the
41 15 computation of net income for individual income tax purposes
41 16 of a member of the national guard who served on full-time
41 17 military duty as a mobilization augments in a rear detachment
41 18 support assignment for a national guard unit deployed pursuant
41 19 to orders related to Operation Iraqi Freedom, being deemed of
41 20 immediate importance, takes effect upon enactment, and applies
41 21 retroactively to January 1, 2004, for tax years beginning on
41 22 or after that date but before January 1, 2007.

Changes related to the exclusion of active duty military pay are retroactive to January 1, 2004.

41 23 Sec. 65. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. The
41 24 sections of this division of this Act amending section 35A.8,
41 25 being deemed of immediate importance, take effect upon
41 26 enactment and are retroactively applicable to July 1, 2007,
41 27 and are applicable on and after that date.

The change in authority of bonuses for veterans from the Veterans Affairs Commission to the Veterans Affairs Department is effective retroactively to July 1, 2007.

41 28 DIVISION V
41 29 STATE AID FOR SCHOOLS == ENROLLMENT

41 30 Sec. 66. Section 257.6, subsection 1, paragraph a,
41 31 subparagraph (5), Code Supplement 2007, is amended to read as
41 32 follows:
41 33 (5) Resident pupils receiving competent private
41 34 instruction from a licensed practitioner provided through a
41 35 public school district pursuant to chapter 299A shall be
42 1 counted as ~~six-tenths~~ three-tenths of one pupil. School
42 2 districts shall not spend less than the amount expended for
42 3 the delivery of home school assistance programming during the
42 4 fiscal year beginning July 1, 2007, unless there is a decline
42 5 in enrollment in the program. If a school district offered a
42 6 home school assistance program in the fiscal year beginning

CODE: Reduces the weight generated by resident students receiving competent private instruction from licensed staff provided by the public school district from 0.6 to 0.3. Requires school districts to provide the same amount of funding for home school assistance programs in FY 2009 as in FY 2008, unless the enrollment in the program decreased. Requires school districts that offered home school assistance programs in FY 2008 continue to offer the program in future years.

DETAIL: The weighting reduction will reduce school district budget enrollments statewide by 1,446 for FY 2009.

FISCAL IMPACT: The estimated FY 2009 impact will be a reduction

<p>42 7 <u>July 1, 2007, it shall continue to offer a home school</u> 42 8 <u>assistance program in the fiscal year beginning July 1, 2008,</u> 42 9 <u>and subsequent fiscal years.</u></p>	<p>in State aid to local school districts of approximately \$7,300,000.</p>
<p>42 10 Sec. 67. WEIGHTED ENROLLMENT. There is appropriated from 42 11 the general fund of the state to the department of education 42 12 for the fiscal year beginning July 1, 2008, and ending June 42 13 30, 2009, the following amount, or so much thereof as is 42 14 necessary, to be used for the purposes designated: 42 15 For one-time distribution to those school districts 42 16 determined by the department to have expenditures associated 42 17 with providing competent private instruction pursuant to 42 18 chapter 299A in excess of the revenue attributed to the school 42 19 district's weighted enrollment for such instruction in 42 20 accordance with section 257.6, subsection 1, paragraph "a", 42 21 subparagraph (5), as amended by this Act: 42 22 \$ 146,000</p>	<p>General Fund appropriation for FY 2009 for a one-time distribution to school districts that have expenditures associated with the home school assistance program in excess of the amount generated from the new home school assistance weight established in the previous Section. The Department of Education will determine which school districts will receive the funds.</p>
<p>42 23 Sec. 68. EFFECTIVE DATE. The section of this division of 42 24 this Act amending section 257.6, being deemed of immediate 42 25 importance, takes effect upon enactment.</p>	<p>The statutory change to weighted enrollment for purposes of school aid in this Division is effective on enactment.</p>
<p>42 26 DIVISION VI 42 27 CAMPAIGN FINANCE</p>	
<p>42 28 Sec. 69. Section 53.10, unnumbered paragraph 3, Code 42 29 Supplement 2007, is amended to read as follows: 42 30 During the hours when absentee ballots are available in the 42 31 office of the commissioner, the posting of political signs is 42 32 prohibited within three hundred feet of the absentee voting 42 33 site. No electioneering shall <u>not</u> be allowed within the sight 42 34 or hearing of voters at the absentee voting site.</p>	<p>CODE: Prohibits electioneering within the sight or hearing of voters near absentee voting sites.</p>
<p>42 35 Sec. 70. Section 53.11, subsection 4, Code Supplement</p>	<p>CODE: Prohibits electioneering within the sight or hearing of voters</p>

43 1	2007, is amended to read as follows:	near satellite absentee voting stations.
43 2	4. During the hours when absentee ballots are available at	
43 3	a satellite absentee voting station, the posting of political	
43 4	signs is prohibited within three hundred feet of the satellite	
43 5	absentee voting station. <u>Electioneering</u> <u>electioneering</u> shall	
43 6	not be allowed within the sight or hearing of voters at the	
43 7	satellite absentee voting station.	
43 8	Sec. 71. Section 68A.404, subsection 1, Code 2007, is	CODE: Lowers the reporting threshold for independent expenditures
43 9	amended to read as follows:	from \$750 to \$100 for certain campaign or advocacy communications.
43 10	1. As used in this section, "independent expenditure"	
43 11	means one or more expenditures in excess of seven hundred	
43 12	fifty <u>one hundred</u> dollars in the aggregate for a communication	
43 13	that expressly advocates the nomination, election, or defeat	
43 14	of a clearly identified candidate or the passage or defeat of	
43 15	a ballot issue that is made without the prior approval or	
43 16	coordination with a candidate, candidate's committee, or a	
43 17	ballot issue committee.	
43 18	Sec. 72. Section 68A.404, subsection 3, paragraph a, Code	CODE: Lowers the reporting threshold for independent expenditures
43 19	2007, is amended to read as follows:	from \$750 to \$100 for certain campaign or advocacy communications.
43 20	a. An independent expenditure statement shall be filed	
43 21	within forty=eight hours of the making of an independent	
43 22	expenditure in excess of seven hundred fifty <u>one hundred</u>	
43 23	dollars in the aggregate.	
43 24	Sec. 73. Section 68A.406, Code Supplement 2007, is amended	CODE: Specifies restrictions on campaign yard signs.
43 25	to read as follows:	
43 26	68A.406 CAMPAIGN SIGNS == YARD SIGNS.	
43 27	1. Campaign signs may be placed with the permission of the	
43 28	property owner <u>or lessee</u> on any of the following:	
43 29	a. Residential property.	
43 30	b. Agricultural land owned by individuals or by a family	
43 31	farm operation as defined in section 9H.1, subsections 8, 9,	
43 32	and 10.	

43 33 c. Property leased for residential purposes including, but
43 34 not limited to, apartments, condominiums, college housing
43 35 facilities, and houses if placed only on leased property space
44 1 that is actually occupied .

44 2 d. Vacant lots owned by a ~~private individual~~ person who is
44 3 not a prohibited contributor under section 68A.503 .

44 4 e. Property owned by an organization that is not a
44 5 prohibited contributor under section 68A.503.

44 6 f. Property leased by a candidate, committee, or an
44 7 organization established to advocate the nomination, election,
44 8 or defeat of a candidate or the passage or defeat of a ballot
44 9 issue that has not yet registered pursuant to section 68A.201,
44 10 when the property is used as campaign headquarters or a
44 11 campaign office and the placement of the sign is limited to
44 12 the space that is actually leased.

44 13 2. a. Campaign signs shall not be placed on any of the
44 14 following:

44 15 a- (1) Any property owned by the state or the governing
44 16 body of a county, city, or other political subdivision of the
44 17 state, including all property considered the public
44 18 right-of-way. Upon a determination by the board that a sign
44 19 has been improperly placed, the sign shall be removed by
44 20 highway authorities as provided in section 318.5, or by county
44 21 or city law enforcement authorities in a manner consistent
44 22 with section 318.5.

44 23 b- (2) Property owned, leased, or occupied by a
44 24 prohibited contributor under section 68A.503 unless the sign
44 25 advocates the passage or defeat of a ballot issue or is
44 26 exempted under subsection 1.

44 27 c- (3) On any property without the permission of the
44 28 property owner or lessee .

44 29 d- (4) On election day either on the premises of any
44 30 polling place or within three hundred feet of any outside door
44 31 of any building affording access to any room where the polls
44 32 are held, or of any outside door of any building affording
44 33 access to any hallway, corridor, stairway, or other means of
44 34 reaching the room where the polls are held.

44 35 e- (5) ~~Within~~ On the premises of or within three hundred

45 1 feet of any outside door of any building affording access to
45 2 an absentee voting site during the hours when absentee ballots
45 3 are available in the office of the county commissioner of
45 4 elections as provided in section 53.10.

45 5 f. ~~(6) Within~~ On the premises of or within three hundred
45 6 feet of any outside door of any building affording access to a
45 7 satellite absentee voting station during the hours when
45 8 absentee ballots are available at the satellite absentee
45 9 voting station as provided in section 53.11.

45 10 b. ~~Paragraphs "d", "e", and "f"~~ Paragraph "a",
45 11 subparagraphs (4), (5), and (6) shall not apply to the posting
45 12 of signs on private property not a polling place, except that
45 13 the placement of a sign on a motor vehicle, trailer, or
45 14 semitrailer, or any attachment to a motor vehicle, trailer, or
45 15 semitrailer parked on public property within three hundred
45 16 feet of any outside door of any building affording access to
45 17 any room serving as a polling place, which sign is more than
45 18 ninety square inches in size, is prohibited.

45 19 3. Campaign signs with dimensions of thirty=two square
45 20 feet or less are exempt from the attribution statement
45 21 requirement in section 68A.405. Campaign signs in excess of
45 22 thirty=two square feet, or signs that are affixed to buildings
45 23 or vehicles regardless of size except for bumper stickers, are
45 24 required to include the attribution statement required by
45 25 section 68A.405. The placement or erection of campaign signs
45 26 shall be exempt from the requirements of chapter 480 relating
45 27 to underground facilities information.

45 28 DIVISION VII

45 29 CORRECTIVE PROVISIONS

45 30 Sec. 74. Section 15.104, subsection 9, paragraph a, if
45 31 enacted by 2008 Iowa Acts, House File 2450, section 6, is
45 32 amended to read as follows:
45 33 a. FINANCIAL ASSISTANCE PROGRAMS. Data on all assistance
45 34 provided to business finance projects under the community

CODE: Corrective provision for HF 2450 (Economic Development
Cleanup Bill).

45 35 economic betterment program established in section 15.317,
46 1 eligible businesses under the high quality job creation
46 2 program described in section 15.326, and eligible facilities
46 3 under the value-added agricultural products and processes
46 4 financial assistance program established in section 15E.111.

46 5 Sec. 75. Section 20.9, subsection 1, paragraph n, if
46 6 enacted by 2008 Iowa Acts, House File 2645, is amended to read
46 7 as follows:
46 8 n. Evaluation procedures, including the frequency of
46 9 evaluations, the method of evaluation, evaluation forms and
46 10 other evaluation instruments, evaluation criteria, the
46 11 purposes for and use of evaluations, and remedial and employee
46 12 ~~performances~~ performance improvement plans and procedures.

CODE: Corrective provision for HF 2645 (Collective Bargaining
Corrective Changes).

46 13 Sec. 76. Section 87.4, unnumbered paragraph 2, Code 2007,
46 14 as amended by 2008 Iowa Acts, Senate File 2337, section 1, if
46 15 enacted, is amended to read as follows:
46 16 A self-insurance association formed under this section and
46 17 an association comprised of cities or counties, or both, or
46 18 the association of ~~county~~ Iowa fairs or a fair as defined in
46 19 section 174.1, or community colleges as defined in section
46 20 260C.2 or school corporations, or both, or other political
46 21 subdivisions, which have entered into an agreement under
46 22 chapter 28E for the purpose of establishing a self-insured
46 23 program for the payment of workers' compensation benefits are
46 24 exempt from taxation under section 432.1.

CODE: Corrective provision for SF 2337 (County Fairs, Liability
Insurance Pool).

46 25 Sec. 77. Section 87.4, unnumbered paragraph 4, Code 2007,
46 26 as amended by 2008 Iowa Acts, Senate File 2337, section 1, if
46 27 enacted, is amended to read as follows:
46 28 A self-insured program for the payment of workers'
46 29 compensation benefits established by an association comprised
46 30 of cities or counties, or both, or the association of ~~county~~
46 31 Iowa fairs or a fair as defined in section 174.1, or community

CODE: Corrective provision for SF 2337 (County Fairs, Liability
Insurance Pool).

46 32 colleges, as defined in section 260C.2, or other political
46 33 subdivisions, which have entered into an agreement under
46 34 chapter 28E, is not insurance, and is not subject to
46 35 regulation under chapters 505 through 523C. Membership in
47 1 such an association together with payment of premiums due
47 2 relieves the member from obtaining insurance as required in
47 3 section 87.1. Such an association is not required to submit
47 4 its plan or program to the commissioner of insurance for
47 5 review and approval prior to its implementation and is not
47 6 subject to rules or rates adopted by the commissioner relating
47 7 to workers' compensation group self-insurance programs. Such
47 8 a program is deemed to be in compliance with this chapter.

47 9 Sec. 78. Section 144C.3, subsection 4, as enacted by 2008
47 10 Iowa Acts, Senate File 473, section 8, is amended to read as
47 11 follows:

47 12 4. A funeral director, an attorney, or any agent, owner,
47 13 or employee of a funeral establishment, cremation
47 14 establishment, cemetery, elder group home, assisted living
47 15 program facility, adult day services program, or licensed
47 16 hospice program, or attorney, or any agent, owner, or employee
47 17 ~~of such an entity~~, shall not serve as a designee unless
47 18 related to the declarant within the third degree of
47 19 consanguinity.

CODE: Corrective provision for SF 473 (Human Remains Disposition).

47 20 Sec. 79. Section 261.7, subsections 2 and 3, if enacted by
47 21 2008 Iowa Acts, House File 2197, section 1, are amended to
47 22 read as follows:

47 23 2. The general assembly recommends that every public and
47 24 private institution ~~for~~ of higher education in this state,
47 25 including those institutions referenced in chapters 260C and
47 26 262 and section 261.9, post the list of required and suggested
47 27 textbooks for all courses and the corresponding international
47 28 standard book numbers for such textbooks at least fourteen
47 29 days before the start of each semester or term, to the extent
47 30 possible, at the locations where textbooks are sold on campus

CODE: Corrective provision for HF 2197 (Textbook Savings).

47 31 and on the web site for the respective institution ~~for~~ of
47 32 higher education.
47 33 3. The college student aid commission is directed to
47 34 convey the legislative intent and recommendation contained in
47 35 this section to every institution ~~for~~ of higher education in
48 1 the state registered pursuant to chapter 261B at least once a
48 2 year.

48 3 Sec. 80. Section 279.15A, subsection 2, if enacted by 2008
48 4 Iowa Acts, House File 2645, is amended to read as follows:

48 5 2. If the teacher requests a private meeting, the board
48 6 shall, within five days of the receipt of the request, deliver
48 7 to the teacher, in writing, notice of declination to meet with
48 8 the teacher, or notice of a time and place for the meeting
48 9 with the board which meeting shall be exempt from the
48 10 requirements of chapter 21. If the board declines to meet
48 11 with the teacher, the parties shall immediately proceed under
48 12 section 279.16. The private meeting, if agreed to by the
48 13 board, shall be held no later than fifteen days from receipt
48 14 of the request for the private meeting. At the meeting, the
48 15 superintendent shall have the opportunity to discuss with the
48 16 board the reasons for the issuance of the notice. The
48 17 teacher, or the teacher's representative, shall be given an
48 18 opportunity to respond. At the conclusion of the meeting, the
48 19 board of directors and the teacher may enter into a mutually
48 20 agreeable resolution to the recommendation of termination. If
48 21 no resolution is reached by the parties, the board shall
48 22 immediately meet in open session, and, by majority roll call
48 23 vote, either reject or support the superintendent's
48 24 recommendation. If the recommendation is rejected, the
48 25 teacher's continuing contract shall remain in force and
48 26 effect. If the recommendation is supported, the parties shall
48 27 immediately proceed under section 279.16.

CODE: Corrective provision for HF 2645 (Collective Bargaining
Corrective Changes).

48 28 Sec. 81. Section 321.23, subsection 3, Code 2007, as
48 29 amended by 2008 Iowa Acts, Senate File 2420, section 53, is

CODE: Corrective provision for SF 2420 (TIME-21).

48 30 amended to read as follows:

48 31 3. In the event an applicant for registration of a foreign
48 32 vehicle for which a certificate of title has been issued is
48 33 able to furnish evidence of being the registered owner of the
48 34 vehicle to the county treasurer of the owner's residence,
48 35 although unable to surrender such certificate of title, the
49 1 county treasurer may issue a registration receipt and plates
49 2 upon receipt of the required annual registration fee and the
49 3 fee for new registration ~~fee~~ but shall not issue a certificate
49 4 of title thereto. Upon surrender of the certificate of title
49 5 from the foreign state, the county treasurer shall issue a
49 6 certificate of title to the owner, or person entitled thereto,
49 7 of such vehicle as provided in this chapter. The owner of a
49 8 vehicle registered under this subsection shall not be required
49 9 to obtain a certificate of title in this state and may
49 10 transfer ownership of the vehicle to a motor vehicle dealer
49 11 licensed under chapter 322 if, at the time of the transfer,
49 12 the certificate of title is held by a secured party and the
49 13 dealer has forwarded to the secured party the sum necessary to
49 14 discharge the security interest pursuant to section 321.48,
49 15 subsection 1.

49 16 Sec. 82. Section 321.105A, subsection 2, paragraph c,
49 17 subparagraph (27), as enacted by 2008 Iowa Acts, Senate File
49 18 2420, section 40, is amended to read as follows:

49 19 (27) A vehicle repossessed by a financial institution or
49 20 an individual by means of a foreclosure affidavit pursuant to
49 21 the uniform commercial code, chapter 554, provided there is a
49 22 valid lien on the vehicle and the foreclosure affidavit is
49 23 used for the sole purpose of retaining possession of the
49 24 vehicle until a new buyer is found. However, if the financial
49 25 institution or individual uses the foreclosure affidavit to
49 26 take title to the vehicle and register the vehicle, the fee
49 27 for new registration ~~fee~~ shall be due based on the outstanding
49 28 loan amount on the vehicle.

CODE: Corrective provision for SF 2420 (TIME-21).

49 29 Sec. 83. Section 508E.8, subsection 1, paragraphs i and k,

CODE: Corrective provision for SF 2392 (Insurance Division Life

49 30 if enacted by 2008 Iowa Acts, Senate File 2392, section 8, are
49 31 amended to read as follows:
49 32 i. Disclosure to a viator shall include distribution of a
49 33 brochure describing the process of viatical settlements. The
49 34 national association of insurance commissioners form for the
49 35 brochure shall be used unless another form is developed ~~or~~ and
50 1 approved by the commissioner.
50 2 k. Following execution of a viatical contract, the insured
50 3 may be contacted for the purpose of determining the insured's
50 4 health status and to confirm the insured's residential or
50 5 business street address and telephone number, or as otherwise
50 6 provided in this chapter. This contact shall be limited to
50 7 once every three months if the insured has a life expectancy
50 8 of more than one year, and no more than once per month if the
50 9 insured has a life expectancy of one year or less. All such
50 10 ~~contracts~~ contacts shall be made only by a duly licensed
50 11 viatical settlement provider or by the authorized
50 12 representative of a duly licensed viatical settlement
50 13 provider.

Settlements Model Act).

50 14 Sec. 84. Section 633A.2301, Code 2007, as amended by 2008
50 15 Iowa Acts, Senate File 2350, section 21, if enacted, is
50 16 amended to read as follows:
50 17 633A.2301 RIGHTS OF BENEFICIARY, CREDITOR, AND ASSIGNEE.
50 18 To the extent a beneficiary's interest is not subject to a
50 19 spendthrift provision, and subject to sections 633A.2305 and
50 20 ~~633.2306~~ 633A.2306, the court may authorize a creditor or
50 21 assignee of the beneficiary to reach the beneficiary's
50 22 interest by levy, attachment, or execution of present or
50 23 future distributions to or for the benefit of the beneficiary
50 24 or other means.

CODE: Corrective provision for SF 2350 (Probate Omnibus).

50 25 Sec. 85. Section 670.7, subsection 4, if enacted by 2008
50 26 Iowa Acts, Senate File 2337, section 3, is amended to read as
50 27 follows:
50 28 4. The association of ~~county~~ Iowa fairs or a fair as

CODE: Corrective provision for SF 2337 (County Fairs).

50 29 defined in section 174.1, ~~or a fair~~, shall be deemed to be a
 50 30 municipality as defined in this chapter only for the purpose
 50 31 of joining a local government risk pool as provided in this
 50 32 section.

50 33 Sec. 86. Section 714E.2, subsection 2, if enacted by 2008
 50 34 Iowa Acts, House File 2653, section 2, is amended to read as
 50 35 follows:

51 1 2. The following notice, printed in at least fourteen
 51 2 point boldface type and completed with the name of the
 51 3 foreclosure consultant, must be printed immediately above the
 51 4 notice of cancellation statement required pursuant to section
 51 5 714E.3:

51 6 NOTICE REQUIRED BY IOWA LAW

51 7 (name) or anyone working for

51 8 ~~him or her~~ (name) CANNOT:

51 9 (1) Take any money from you or ask you for money until

51 10 (name) has completely finished

51 11 doing everything ~~he or she~~ (name) said

51 12 ~~he or she~~ (name) would do; and

51 13 (2) Ask you to sign or have you sign any lien, mortgage,

51 14 or real estate contract.

CODE: Corrective provision for HF 2653 (Mortgage Foreclosure
 Rescue Scam).

51 15 Sec. 87. 2008 Iowa Acts, House File 2103, section 1, is
 51 16 amended by striking the section and inserting in lieu thereof
 51 17 the following:

51 18 SECTION 1. Section 261.1, subsections 3 and 4, Code 2007,
 51 19 are amended to read as follows:

51 20 3. ~~a. A member~~ Two members of the senate, ~~one~~ to be

51 21 appointed by the president of the senate, ~~after consultation~~

51 22 ~~with the majority leader~~ and one to be appointed by the

51 23 minority leader of the senate, to serve as ~~an~~ ex officio,

51 24 ~~nonvoting member for a term of four years beginning on July 1~~

51 25 ~~of the year of appointment~~ members.

51 26 4. ~~b. A member~~ Two members of the house of

51 27 representatives, one to be appointed by the speaker of the

CODE: Corrective provision for HF 2103 (College Student Aid
 Commission).

51 28 house of representatives and one to be appointed by the
 51 29 minority leader of the house of representatives, to serve as
 51 30 an ex officio, nonvoting member for a term of four years
 51 31 beginning on July 1 of the year of appointment members .
 51 32 c. The members of the senate and house of representatives
 51 33 shall serve at the pleasure of the appointing legislator for a
 51 34 term beginning upon the convening of the general assembly and
 51 35 expiring upon the convening of the following general assembly,
 52 1 or when the appointee's successor is appointed, whichever
 52 2 occurs later.

52 3 Sec. 88. 2008 Iowa Acts, House File 2555, section 18, is
 52 4 amended by striking the section and inserting in lieu thereof
 52 5 the following:
 52 6 SEC. 18. NEW SECTION . 508E.20 PUBLIC RECORDS.
 52 7 All information filed with the commissioner pursuant to the
 52 8 requirements of this chapter and its implementing rules shall
 52 9 constitute a public record that is open for public inspection
 52 10 except as otherwise provided in this chapter.

CODE: Corrective provision for HF 2555 (Insurance Omnibus).

52 11 Sec. 89. 2008 Iowa Acts, House File 2651, section 40, if
 52 12 enacted, is amended to read as follows:
 52 13 SEC. 40. EFFECTIVE DATE DATES .
 52 14 1. The sections of this Act amending sections 321E.8,
 52 15 321E.9, 321E.14, and 322.7A, the section enacting section
 52 16 321E.9B, and the section repealing 2007 Iowa Acts, chapter
 52 17 167, being deemed of immediate importance, take effect upon
 52 18 enactment.
 52 19 2. The section of this Act amending section 321.115,
 52 20 subsection 1, as enacted in 2007 Iowa Acts, chapter 143,
 52 21 section 12, takes effect January 1, 2009.

CODE: Corrective provision for HF 2651 (Highway Motor Vehicle Policy).

52 22 Sec. 90. 2008 Iowa Acts, Senate File 2316, section 10, is
 52 23 amended to read as follows:
 52 24 SEC. 10. Sections 540A.1, 540A.2, 540A.3, 540A.4, 540A.5,

CODE: Corrective provision for SF 2316 (Uniform Prudent Management of Institutional Funds).

52 25 540A.6, 540A.7, 540A.8, and 540A.9, Code 2007, are repealed.

52 26 Sec. 91. 2008 Iowa Acts, Senate File 2347, section 9, is
52 27 amended to read as follows:
52 28 SEC. 9. EMERGENCY RULES. The secretary of state may adopt
52 29 emergency rules under section ~~47A.4~~ 17A.4 , subsection 2, and
52 30 section 17A.5, subsection 2, paragraph "b", to implement the
52 31 provisions of this Act relating to optical scan voting
52 32 systems, and the rules shall be effective immediately upon
52 33 filing unless a later date is specified in the rules. Any
52 34 rules adopted in accordance with this section shall also be
52 35 published as a notice of intended action as provided in
53 1 section 17A.4.

CODE: Corrective provision to SF 2347 (Optical Scan Voting).

53 2 Sec. 92. 2008 Iowa Acts, Senate File 2349, section 8, is
53 3 amended by striking the section and inserting in lieu thereof
53 4 the following:
53 5 SEC. 8. Section 523A.601, subsection 6, paragraph a, Code
53 6 Supplement 2007, is amended to read as follows:
53 7 a. A purchase agreement that is funded by a trust shall
53 8 include a conspicuous statement in language substantially
53 9 similar to the following language:
53 10 "For your prearranged funeral agreement, we will deposit
53 11 not less than eighty percent of your payments in trust at
53 12 (name of financial institution), (street address), (city),
53 13 (state) (zip code) within fifteen days following receipt of
53 14 the funds. For your protection, you ~~have the right to contact~~
53 15 will be notified within sixty days from the date of deposit
53 16 from the financial institution directly , if acting as a
53 17 trustee of trust funds under this chapter, to confirm that the
53 18 deposit of these funds ~~occurred~~ has been made establishing a
53 19 trust fund as required by law. If you ~~are unable to confirm~~
53 20 ~~the deposit of these funds in trust~~ do not receive this
53 21 notification , you may contact the Iowa insurance division for
53 22 assistance by calling the insurance division at (telephone
53 23 number) or by mail at (street address), (city), Iowa (zip

CODE: Corrective provision to SF 2349 (Cemetery Clean-up).

53 24 code) , or you may contact the financial institution by calling
53 25 the financial institution at (telephone number) or by mail at
53 26 the address indicated above ."

53 27 EXPLANATION

53 28 This bill makes, reduces, and transfers appropriations,
53 29 provides for salaries and compensation of state employees, and
53 30 covers other properly related matters. The bill is organized
53 31 into divisions.

53 32 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING == FY 2009=2010.

53 33 This division appropriates funding for the FY 2009=2010

53 34 MH/MR/DD services allowed growth funding payments to counties.

53 35 STANDING APPROPRIATIONS AND RELATED MATTERS. This division

54 1 limits the standing unlimited appropriations for FY 2008=2009

54 2 made for the following purposes: instructional support state

54 3 aid, payment of nonpublic school transportation, the

54 4 educational excellence program to improve teacher salaries,

54 5 and state share of peace officers' retirement benefits.

54 6 The appropriations made for expenses of the general

54 7 assembly under Code section 2.12 are to be reduced by

54 8 \$1,439,884.

54 9 For the budget process applicable to FY 2009=2010, state

54 10 agencies are required to submit estimates and other

54 11 expenditure information as called for by the director of the

54 12 department of management after consultation with the director

54 13 of management instead of the information required under Code

54 14 section 8.23.

54 15 In addition, for FY 2008=2009, the following property tax

54 16 credits are funded from the property tax credit fund created

54 17 in the division instead of entirely funded from the general

54 18 fund of the state: homestead, agricultural land and family

54 19 farm, military service, and elderly and disabled tax credit

54 20 and reimbursement. The provision provides that such

54 21 appropriations are also limited to the same amounts for FY

54 22 2009=2010. This provision takes effect upon enactment.

54 23 The contingent appropriation under Code section 8.57,

54 24 subsection 1, of up to 1 percent of the adjusted revenue

54 25 estimate for FY 2008=2009 from the state general fund to the
54 26 cash reserve fund in the event the FY 2007=2008 ending balance
54 27 distribution was insufficient to bring the fund to the
54 28 designated level shall not be made for FY 2008=2009.
54 29 For purposes of the budget process and calculation of the
54 30 state general fund expenditure limitation under Code section
54 31 8.54 for FY 2008=2009, the April 4, 2008, revenue estimating
54 32 conference's revenue estimate shall be used. This section
54 33 takes effect upon enactment and applies retroactively to
54 34 January 14, 2008.
54 35 Code section 257.35, relating to state aid to schools
55 1 provided for area education agencies, is amended to continue a
55 2 reduction in that funding for FY 2008=2009. The amount of the
55 3 reduction is limited to \$2.5 million in place of the \$5.25
55 4 million reduction applied for the previous fiscal year and the
55 5 reduction for each area education agency will be prorated
55 6 based upon the reduction in the state aid that the agency
55 7 received in FY 2003=2004. Intent language is included that
55 8 would eliminate this additional reduction effective with FY
55 9 2009=2010.
55 10 SALARIES, COMPENSATION, AND RELATED MATTERS. This division
55 11 relates to the funding for the fiscal year beginning July 1,
55 12 2008, of salary increases for state appointed nonelected
55 13 officers, justices, judges, magistrates, employees subject to
55 14 collective bargaining agreements, certain noncontract
55 15 employees, board of regents employees, and elected executive
55 16 branch officials.
55 17 The annual salaries of the justices, judges, and judicial
55 18 magistrates are increased approximately 6.9 percent to 12.7
55 19 percent.
55 20 The division increases the maximum and minimum salary
55 21 levels of all pay plans of noncontract state employees by 3
55 22 percent and authorizes a step increase or the equivalent of a
55 23 step increase. The pay levels of noncontract judicial branch
55 24 employees are required to be similar to the employees covered
55 25 by collective bargaining agreements negotiated by the judicial
55 26 branch.
55 27 The annual salaries of the state elected officials are to

55 28 be a percentage of the maximum amount in range 7 of the salary
55 29 ranges for appointed state officers. Of that maximum amount,
55 30 the salaries of the secretary of agriculture, auditor of
55 31 state, state treasurer, and lieutenant governor are 82.65
55 32 percent, the attorney general is 89.0 percent, and the
55 33 governor is 92.4 percent.

55 34 The division provides supplemental authorization to fund
55 35 salaries from trust, revolving, and special funds for which
56 1 the general assembly has established a budget.

56 2 The division provides for the salary model administrator to
56 3 work in conjunction with the department of management and the
56 4 legislative services agency to analyze, compare, and project
56 5 state salary and benefit information.

56 6 MISCELLANEOUS STATUTORY CHANGES == APPROPRIATIONS. New
56 7 Code section 15.368 provides a standing \$1 million
56 8 appropriation beginning with FY 2009=2010 for the support of
56 9 the world food prize award.

56 10 Code section 16.92 is amended to modify the standard for
56 11 imposing liability on the title guaranty division of the Iowa
56 12 finance authority. Liability will be imposed if the division
56 13 through an act of negligence wrongfully or erroneously records
56 14 a certificate of release.

56 15 Code sections 21.5 and 22.7 are amended to provide a new
56 16 exemption from the open meetings law relating to meetings of
56 17 public hospitals, as defined in Code section 249J.3. The
56 18 amendments provide that a meeting of such a public hospital
56 19 may be closed to discuss patient care quality and process
56 20 improvement initiatives or to discuss marketing and pricing
56 21 strategies or similar proprietary information where public
56 22 disclosure of such information would harm such a hospital's
56 23 competitive position. The minutes and the audio recording of
56 24 such a closed session shall be available for public inspection
56 25 when the public disclosure would no longer harm the hospital's
56 26 competitive position. This provision does not apply to
56 27 expenditures and terms or conditions of employment. Records
56 28 of these closed sessions are to be made available after final
56 29 action is taken on the subject matter.

56 30 Code section 35A.8 is amended to provide that the

56 31 department of veterans affairs, not the commission of veterans
56 32 affairs, establish rules concerning the Vietnam veterans bonus
56 33 and also provides that the bonus is available to a person who
56 34 served on active duty for no less than 120 days and who
56 35 served, for any length of time, between July 1, 1973, and May
57 1 31, 1975. The amendments to Code section 35A.8 take effect
57 2 upon enactment and are retroactively applicable to July 1,
57 3 2007.

57 4 New Code section 68A.401A requires a political organization
57 5 that is required to file reports with the internal revenue
57 6 service to file a report with the Iowa ethics and campaign
57 7 disclosure board if it creates or disseminates a communication
57 8 of issue advocacy in the state and receives or expects to
57 9 receive \$25,000 or more in gross receipts during the tax year.

57 10 Code section 135B.5 is amended to increase the annual
57 11 hospital license fee from \$10 to \$1,000.

57 12 Code section 135B.7 is amended to strike the reference to
57 13 the hospital licensing board and Code sections 135B.10 and
57 14 135B.11 are repealed as they relate to the establishment and
57 15 compensation of the hospital licensing board.

57 16 Code sections 136.1 and 136.2 are amended to increase the
57 17 state board of health membership by two members who possess
57 18 recognized abilities in hospital administration.

57 19 Code section 175.2 is amended to provide that the term "low
57 20 or moderate net worth" as it applies to beginning farmers for
57 21 purposes of financial assistance under the Iowa agricultural
57 22 development Act is changed from a specific dollar amount to a
57 23 designated amount that is indexed on a calendar year basis
57 24 beginning January 1, 2009. The designated amount for July 1,
57 25 2008, through December 31, 2008, is set at \$500,000.

57 26 New Code section 279.67 provides that it is the goal of the
57 27 state that every employee of a public school corporation
57 28 receive a competitive living wage.

57 29 Code section 321J.13 is amended to permit a person who
57 30 holds a commercial driver's license and has been disqualified
57 31 from operating a commercial motor vehicle to seek a hearing to
57 32 rescind such disqualification in the same manner and under the
57 33 same circumstances as holders of regular driver's licenses who

57 34 have had their licenses revoked.

57 35 Code sections 331.304 and 364.3 are amended to provide that

58 1 a city or county shall not adopt or enforce any ordinance

58 2 imposing a registration or licensing system or fees relating

58 3 to owner-occupied manufactured or mobile homes including those

58 4 located in a manufactured home community or mobile home park.

58 5 Code section 423.6, subsection 14, is amended to provide

58 6 that the portion of the purchase price of a mobile home or of

58 7 the installed purchase price of a manufactured home which is

58 8 not attributable to the cost of the tangible personal property

58 9 used in the processing of such home is increased from 40

58 10 percent to 80 percent. This amendment results in the increase

58 11 in the exemption from the use tax of the purchase price or

58 12 installed purchase price from 40 percent to 80 percent.

58 13 New Code section 423F.2, subsection 1, as enacted by 2008

58 14 Iowa Acts, House File 2663, is amended to provide that if

58 15 certain counties have a percentage increase in sales and use

58 16 tax revenues collected by the state which is greater than the

58 17 statewide percentage increase used by the other counties for

58 18 determining distribution of moneys to the school districts for

58 19 infrastructure purposes, then the school districts located in

58 20 those certain counties will receive distributions based on

58 21 their greater percentage increase.

58 22 Code section 441.37A, subsection 1, is amended to provide

58 23 that an appeal from the local board of review to the property

58 24 assessment appeal board is a contested case under the Iowa

58 25 administrative procedure Act.

58 26 Code section 441.37A, subsection 2, is amended to provide

58 27 that meetings of the property assessment appeal board to rule

58 28 on procedural motions or to deliberate on a decision are

58 29 exempt from the open meetings law.

58 30 Code section 441.38 is amended to provide that appeals from

58 31 the property assessment appeal board may be made in the

58 32 district court in Polk county. In addition, the Code section

58 33 is amended to provide that additional evidence to sustain an

58 34 appeal may be introduced when appealing a decision of the

58 35 local board of review. However, no additional evidence is

59 1 permitted if the appeal is of a decision of the property

59 2 assessment appeal board.
59 3 New Code section 441.38B provides that a person or party
59 4 that is aggrieved by a decision of the property assessment
59 5 appeal board may seek judicial review as provided in the Iowa
59 6 administrative procedure Act and Code section 441.38.
59 7 Code section 441.43 is amended to eliminate the power of a
59 8 court that hears the appeal from the property assessment
59 9 appeal board to increase, decrease, or affirm the amount of
59 10 the assessment appealed from.
59 11 New Code section 455C.17 provides for the department of
59 12 natural resources to establish an independent redemption
59 13 center grant program to provide grants of up to \$15,000 to
59 14 redemption centers where consumers may return empty beverage
59 15 containers which centers are not affiliated with or are not a
59 16 subsidiary of a dealer, distributor, or manufacturer. The new
59 17 Code section establishes a grant fund from which grants are to
59 18 be made to these independent redemption centers for purpose of
59 19 making improvements to the facilities at the centers.
59 20 Code section 535.8 is amended to make specified changes
59 21 relating to permissible fees and charges which may be incurred
59 22 by a borrower in connection with designated real estate loans.
59 23 A definition of "lender" is added, terminology in Code section
59 24 535.8 is modified to reflect loan transactions between a
59 25 lender and a borrower, and origination and broker fees are
59 26 added to loan charges which may be imposed, subject to
59 27 existing limitations regarding the amount of the charge. The
59 28 amendment also adds a bona fide and reasonable settlement or
59 29 closing fee incurred by a lender and paid to a third party to
59 30 settle or close a loan as an authorized charge to a borrower.
59 31 The division enacts new Code section 537.3312, under the
59 32 consumer credit code, that provides that a seller or issuer of
59 33 a gift certificate shall redeem the gift certificate at full
59 34 value and shall not assess a fee with respect to the gift
59 35 certificate, include an expiration date, or impose any
60 1 condition on the ability of the owner to redeem the gift
60 2 certificate. A violation of this new section is an unfair
60 3 practice for purposes of consumer frauds and also subjects the
60 4 violator to the penalty provision of Code section 537.5201

60 5 under the consumer credit code.
60 6 Code section 556.9, subsection 2, concerning gift
60 7 certificates, is amended to eliminate the ability of an issuer
60 8 to deduct any charge from the value of the gift certificate
60 9 under a written contract.
60 10 Code section 622.10 is amended as it relates to
60 11 communications made in professional confidence concerning
60 12 health care and health care records including patient access
60 13 to the patient's medical records, provisions relating to
60 14 procedures for fees charged by certain medical providers for
60 15 the production of certain health care records and consulting
60 16 costs, and also to provisions relating to communications
60 17 between certain medical providers and attorneys in a civil
60 18 action in which the condition of the plaintiff is at issue.
60 19 New Code section 692A.3B provides that a registered sex
60 20 offender who has been convicted of a criminal offense against
60 21 a minor, or an offense involving a minor that is an aggravated
60 22 offense, sexually violent offense, or other relevant offense,
60 23 shall not be present on the real property comprising a child
60 24 care provider. However, the following exceptions are
60 25 provided: a sex offender may be present on child care
60 26 provider property if the sex offender is transporting the
60 27 offender's child to or from the child care provider, the
60 28 offender is responding to a health or behavioral emergency
60 29 regarding the offender's child, the sex offender is summoned
60 30 to discuss the developmental activity or social progress of
60 31 the offender's child, or the sex offender is voting in an
60 32 election during the designated hours to vote.
60 33 The child care provider owner or administrator subject to
60 34 new Code section 692A.3B is required to provide notice to the
60 35 parents, guardians, or custodians of the children receiving
61 1 child care about the presence of a sex offender on the child
61 2 care provider's premises.
61 3 A sex offender who violates new Code section 692A.3B
61 4 commits an aggravated misdemeanor. An aggravated misdemeanor
61 5 is punishable by confinement for no more than two years and a
61 6 fine of at least \$625 but not more than \$6,250.
61 7 An appropriation of \$160,000 from the state general fund

61 8 for FY 2008=2009 is made to the state board of regents for the
61 9 real estate education program at the university of northern
61 10 Iowa.

61 11 The division provides that a member of the national guard
61 12 that served on active duty in a rear detachment support
61 13 assignment for a national guard unit deployed in Iraq may
61 14 exclude the amount of full-time national guard duty pay for
61 15 purposes of the individual income tax. This provision takes
61 16 effect upon enactment and applies retroactively to January 1,
61 17 2004, for tax years beginning on or after that date but before
61 18 January 1, 2007.

61 19 The division provides that the moneys from the
61 20 appropriation made from the charter agency grant fund to the
61 21 department of management that remain unencumbered or
61 22 unobligated at the close of FY 2007=2008 remain available to
61 23 be used for the purposes designated in the succeeding fiscal
61 24 year. These purposes include training, development of outcome
61 25 measurement systems, management system modifications, and
61 26 other modifications associated with transition of operations
61 27 to charter agency status. Under Code section 7J.3, the
61 28 charter agency chapter is repealed effective June 30, 2008.
61 29 The division provides that at the close of FY 2008=2009, any
61 30 remaining moneys revert to the general fund.

61 31 STATE AID FOR SCHOOLS == ENROLLMENT. Code section 257.6 is
61 32 amended to reduce the weighting for pupils receiving competent
61 33 private instruction from a licensed practitioner provided
61 34 through a school district from the current six-tenths of one
61 35 pupil to three-tenths of one pupil, to provide that a school
62 1 district shall not expend less than the amount expending
62 2 during FY 2007=2008 unless there is a decline in enrollment,
62 3 and to provide that a school district shall continue to offer
62 4 home schooling assistance in subsequent years if it offered
62 5 the program in FY 2007=2008. These provisions take effect
62 6 upon enactment. The division also appropriates \$146,000 for
62 7 one-time distribution to school districts having expenditures
62 8 associated with competent private instruction that are in
62 9 excess of revenue attributed to the district's weighted
62 10 enrollment because of the reduction in the weighted enrollment

62 11 provided in this division.
62 12 CAMPAIGN FINANCE. This division moves current restrictions
62 13 concerning campaign signs near absentee voting sites and
62 14 satellite absentee voting stations from Code chapter 53 to
62 15 Code chapter 68A, and specifies that the 300-foot restriction
62 16 is measured from the outside door of the voting premises.
62 17 Code chapter 53 provisions continue to prohibit electioneering
62 18 within the sight or hearing of voters.
62 19 The division lowers the reporting threshold for independent
62 20 expenditures from \$750 to \$100.
62 21 The division specifies restrictions on yard signs,
62 22 providing that signs may be placed on property leased for
62 23 college housing facilities on leased property space that is
62 24 actually occupied, and on vacant lots owned by a person who is
62 25 not a prohibited contributor.
62 26 CORRECTIVE PROVISIONS. Code section 15.104, as amended by
62 27 2008 Iowa Acts, House File 2450, relating to reports by the
62 28 economic development board to the general assembly and
62 29 governor, is amended to refer to eligible facilities under the
62 30 value-added agricultural products and processes financial
62 31 assistance program rather than to the program itself.
62 32 Code section 20.9, as amended by 2008 Iowa Acts, House File
62 33 2645, relating to collective bargaining, is amended to use the
62 34 singular form of the word "performances" in the phrase
62 35 "employee performance improvement plans".
63 1 Code sections 87.4 and 670.7, as amended by 2008 Iowa Acts,
63 2 Senate File 2337, relating to the association of Iowa fairs
63 3 and liability insurance, are amended to correct the name of
63 4 the association in those Code sections.
63 5 Code section 144C.3, as enacted by 2008 Iowa Acts, Senate
63 6 File 473, relating to designees authorized to dispose of an
63 7 adult's remains, is amended grammatically to restrict agents,
63 8 owners, and employees of certain funeral and elder care
63 9 businesses from serving as designees, as well as funeral
63 10 directors and attorneys themselves.
63 11 Code section 261.7, as enacted by 2008 Iowa Acts, House
63 12 File 2197, relating to textbook information at the
63 13 postsecondary level, is amended to correct references to

63 14 institutions of higher education.
63 15 Code section 279.15A, as enacted by 2008 Iowa Acts, House
63 16 File 2645, relating to collective bargaining, is amended to
63 17 add the definite article "the" in the phrase "meet with the
63 18 teacher".
63 19 Code sections 321.23 and 321.105A, as amended and enacted
63 20 respectively by 2008 Iowa Acts, Senate File 2420, relating to
63 21 vehicle registration fees, are amended to consistently refer
63 22 to a "fee for new registration" rather than a "new
63 23 registration fee".
63 24 Code section 508E.8, as enacted by 2008 Iowa Acts, Senate
63 25 File 2392, relating to the regulation of viatical settlement
63 26 contracts, is amended to include the conjunctive rather than
63 27 the disjunctive in the phrase "form is developed and approved
63 28 by the commissioner" to conform to two other references in the
63 29 Act with regard to viatical settlement forms prescribed by the
63 30 commissioner of insurance. Code section 508E.8 is also
63 31 amended to correct a reference to health status contacts
63 32 (rather than contracts) made by a viatical settlement
63 33 provider.
63 34 Code section 633A.2301, as amended by 2008 Iowa Acts,
63 35 Senate File 2350, relating to beneficiaries of trusts and
64 1 creditors and assignees of such beneficiaries, is amended to
64 2 correct a reference to Code section 633A.2306 which relates to
64 3 a trustee's payments to beneficiaries.
64 4 Code section 714E.2, as enacted by 2008 Iowa Acts, House
64 5 File 2653, relating to foreclosure services protection, is
64 6 amended to delete usage of male and female pronouns.
64 7 2008 Iowa Acts, House File 2103, section 1, relating to
64 8 membership of the college student aid commission, is amended
64 9 to correctly represent current Code section 261.1(4) in the
64 10 bill by displaying the numeral "4." with strike=throughs.
64 11 2008 Iowa Acts, House File 2555, section 18, relating to
64 12 the public inspection of viatical settlement contract
64 13 information filed with the commissioner of insurance, is
64 14 amended to recognize that Code chapter 508E, as rewritten by
64 15 2008 Iowa Acts, Senate File 2392, contains provisions
64 16 requiring the commissioner of insurance to maintain the

64 17 confidentiality of information such as a viator's personal,
64 18 financial, and medical information or other individual
64 19 identification data, a licensee's financial condition and
64 20 market conduct, and certain investigative or examination
64 21 information.
64 22 The amendment to 2008 Iowa Acts, House File 2651, section
64 23 40, conforms the effective date of the amendment to section
64 24 321.115, subsection 1, in House File 2651 to the effective
64 25 date of January 1, 2009, provided in House File 2651 for the
64 26 2007 enactment of section 321.115.
64 27 2008 Iowa Acts, Senate File 2316, section 10, relating to
64 28 the prudent management of charitable institution funds, is
64 29 amended to repeal one additional Code section of the old Code
64 30 chapter, which is entirely replaced by the Act. The failure
64 31 to repeal that Code section appears to be inadvertent.
64 32 2008 Iowa Acts, Senate File 2347, section 9, relating to
64 33 the authority of the secretary of state to adopt emergency
64 34 rules regarding voting systems, is amended to correct a
64 35 reference to Code section 17A.4 which provides a procedure for
65 1 rules to become effective on an emergency basis without public
65 2 participation.
65 3 2008 Iowa Acts, Senate File 2349, section 8, relating to
65 4 prearranged funeral arrangements, is amended to correctly
65 5 represent current Code section 523A.601(6)(a) in the bill by
65 6 displaying the word "are" with strike=throughs.
65 7 LSB 6618HV 82
65 8 mg/jp/24

Summary Data

General Fund

	House Approp FY 2009	House Approp FY 2010	Page and Line #
	(1)	(2)	(3)
Economic Development	\$ 0	\$ 1,000,000	
Education	306,000	0	
Health and Human Services	0	69,949,069	
Unassigned Standing	119,467,877	0	
Grand Total	\$ 119,773,877	\$ 70,949,069	

Economic Development General Fund

	House Approp FY 2009 (1)	House Approp FY 2010 (2)	Page and Line # (3)
<u>Economic Development, Dept. of</u>			
Economic Development, Department of World Food Prize	\$ 0	\$ 1,000,000	PG 17 LN 31
Total Economic Development, Dept. of	\$ 0	\$ 1,000,000	
Total Economic Development	\$ 0	\$ 1,000,000	

Education General Fund

	House Approp FY 2009	House Approp FY 2010	Page and Line #
	(1)	(2)	(3)
<u>Education, Department of</u>			
Education, Department of Private Instruction	\$ 146,000	\$ 0	PG 42 LN 10
Total Education, Department of	\$ 146,000	\$ 0	
<u>Regents, Board of</u>			
Regents, Board of UNI - Real Estate Program	\$ 160,000	\$ 0	PG 39 LN 33
Total Regents, Board of	\$ 160,000	\$ 0	
Total Education	\$ 306,000	\$ 0	

Health and Human Services

General Fund

	House Approp FY 2009	House Approp FY 2010	Page and Line #
	(1)	(2)	(3)
<u>Human Services, Department of</u>			
Human Services - Assistance			
MH/DD Growth Factor	\$ 0	\$ 69,949,069	PG 1 LN 4
Total Human Services, Department of	\$ 0	\$ 69,949,069	
Total Health and Human Services	\$ 0	\$ 69,949,069	

Unassigned Standing General Fund

	House Approp FY 2009 <u>(1)</u>	House Approp FY 2010 <u>(2)</u>	Page and Line # <u>(3)</u>
<u>Education, Department of</u>			
Education, Department of			
AEA State Aid Reduction	\$ -2,500,000	\$ 0	PG 6 LN 18
Teacher Excellence Cap	-1,422,283	0	PG 3 LN 1
Instructional Support Cap	-369,956	0	PG 2 LN 20
Assistance for Private Instruction	<u>-7,300,000</u>	<u>0</u>	PG 41 LN 30
Total Education, Department of	\$ -11,592,239	\$ 0	
<u>Legislative Branch</u>			
General Assembly Reduction	\$ -1,439,884	\$ 0	PG 2 LN 7
Total Legislative Branch	\$ -1,439,884	\$ 0	
<u>Management, Department of</u>			
Management, Department of			
Salary Adjustment Fund	\$ 88,100,000	\$ 0	PG 12 LN 15
Property Tax Credit Fund	<u>44,400,000</u>	<u>0</u>	PG 3 LN 30
Total Management, Department of	\$ 132,500,000	\$ 0	
Total Unassigned Standing	\$ 119,467,877	\$ 0	

Summary Data

Other Funds

	House Approp FY 2009	House Approp FY 2010	Page and Line #
	(1)	(2)	(3)
Unassigned Standing	\$ 169,690,563	\$ 0	
Grand Total	\$ 169,690,563	\$ 0	

Unassigned Standing Other Funds

	<u>House Approp FY 2009</u>	<u>House Approp FY 2010</u>	<u>Page and Line #</u>
	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>
<u>Management, Department of</u>			
Management, Department of			
Primary Road Salary Adjustment	\$ 8,335,688	\$ 0	PG 15 LN 33
Road Use Tax Salary Adjustment	1,485,911	0	PG 15 LN 25
Total Management, Department of	\$ 9,821,599	\$ 0	
<u>Revenue, Dept. of</u>			
Revenue, Department of			
Homestead Property Tax Credit - PTCF	\$ 99,254,781	\$ 0	PG 4 LN 19
Ag. Land/Family Farm Tax Credits-PTCF	34,610,183	0	PG 4 LN 22
Military Service Tax Credit - PTCF	2,800,000	0	PG 4 LN 25
Elderly & Disabled Tax Credit-PTCF	23,204,000	0	PG 4 LN 28
Total Revenue, Dept. of	\$ 159,868,964	\$ 0	
Total Unassigned Standing	\$ 169,690,563	\$ 0	